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HOUSE JOURNAL

OF THE

Thirty-eighth Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 7, 1963, and
Ending March 7, 1963.

WILLIAM R. WALRATH
Chief Clerk

SHARON HANSEN
Journal Clerk

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OFFICERS AND MEMBERS OF THE Thirty-eighth Legislative Assembly of the State of Montana 1963

TIM M. BABCOCK, GOVERNOR.**

Frank W. Hazelbaker, Speaker of the House.

David F. James, President Pro Tem of the Senate.

Dave M. Manning, President Pro Tem (Ad Interim).

Members of the Senate

NAME	RESIDENCE	COUNTY	POLITICS
Anderson, Helen F.	Wibaux	Wibaux	Republican
*Balgord, O. P.	Lavina	Golden Valley	Republican
Beley, Ward H.	Harlowton	Wheatland	Democrat
Bentz, C. C.	Ekalaka	Carter	Republican
Bovey, Charles A.	Box 1653, Great Falls	Cascade	Democrat
Breen, Jerry W.	Choteau	Teton	Republican
*Brenner, J. S.	Grant	Beaverhead	Republican
*Carney, Ed.	Scobey	Daniels	Democrat
*Cashmore, Dr. Wm. F.	10 Montana Avenue, Helena	Lewis & Clark	Republican
Cole, Kenneth	Winnett	Petroleum	Republican
*Cook, Milo H.	Broadus	Powder River	Democrat
Cotton, Robert S.	Box 27, Glasgow	Valley	Democrat
Cumming, Hugh C.	Drummond	Granite	Democrat
*DeWolfe, Percy	Babb	Glacier	Democrat
*Durkee, Robert A.	1 Fifth Street, Havre	Hill	Democrat
Dussault, Edward T.	Mullan Road, Missoula	Missoula	Democrat
*Edwards, Lochiel	Malta	Phillips	Republican
Gerard, Sumner	Ennis	Madison	Republican
Goodwin, Lester C.	Townsend	Broadwater	Democrat
Graham, Carroll A.	Lodge Grass	Big Horn	Democrat
*Grieve, W. H.	Terry	Custer	Republican
Groff, W. A. "Bill"	Victor	Ravalli	Democrat
Hafferman, William F.	314 E. Ninth Street, Libby	Lincoln	Democrat
*Hauk, Mike	Terry	Prairie	Democrat
Hilling, Henry B.	1214 Ninth West, Billings	Yellowstone	Republican
Huntley, Gene	Baker	Fallon	Democrat
*James, David F.	Joplin	Liberty	Democrat
Jensen, Arthur N.	Superior	Mineral	Democrat
Keller, Webster	Fishtail	Stillwater	Democrat
*Lehrkind, Carl, Jr.	610 South Willson, Bozeman	Gallatin	Republican
*MacDonald, John J.	Jordan	Garfield	Democrat
*Mackay, William R.	Roscoe	Carbon	Republican
Mahoney, Eugene H.	104 Spruce, Thompson Falls	Sanders	Democrat
*Manning, Dave M.	Hysham	Treasure	Democrat
*McDonnell, A. Ronald	Big Timber	Sweet Grass	Republican
*McElwain, Joseph A.	705 Penn. Ave., Deer Lodge	Powell	Republican
McGowan, Gordon	Highwood	Chouteau	Democrat
McKenna, George S.	Stanford	Judith Basin	Democrat
*McKeon, John L.	316 East 7th St., Anaconda	Deer Lodge	Democrat
Melcher, John	Forsyth	Rosebud	Democrat
Michels, Lloyd J.	Medicine Lake	Sheridan	Democrat
Moberly, Waldo Y.	Sweetgrass	Toole	Republican
Moritz, Earl	1024 West Evelyn, Lewistown	Fergus	Republican
*Nees, Stanley R.	Poplar	Roosevelt	Democrat
*Nixon, Richard	Hogeland	Blaine	Democrat
*O'Neill, R. T.	Roundup	Musselshell	Democrat
Reardon, Frank D.	801 Maryland Ave., Butte	Silver Bow	Democrat
Rieder, Arnold	Boulder	Jefferson	Democrat
*Rostad, Carl	Lowther Rte., Martinsdale	Meagher	Republican
*Schoonover, Leland H.	Polson	Lake	Democrat
*Shaw, James N.	Hodges	Dawson	Republican
Siderius, George	Somers Stage, Kalispell	Flathead	Democrat
*Stein, Ben H.	Shields Route, Livingston	Park	Democrat
Thiessen, C. R.	Lambert	Richland	Democrat
*Thomas, Robert B.	Wolf Point	McCone	Republican
*Ullom, Maurice J.	Conrad	Pondera	Republican

* Holdover Senator.

§ Appointed to succeed Dave E. Newman, deceased.

** Acting Governor since Donald G. Nutter's death on January 25, 1962.

House of Representatives

NAME	RESIDENCE	COUNTY	POLITICS
Aasheim, Magnus	Antelope	Sheridan	Democrat
Adams, Ed, Jr.	Shawmut	Golden Valley	Republican
Asbjornson, J. O.	Winifred	Fergus	Republican
Bailey, Manson H., Jr.	Glasgow	Valley	Democrat
Baldwin, Florian	Roundup	Musselshell	Republican
Bardanoue, Francis	Harlem	Blaine	Democrat
Bashor, Leonard G.	Kevin	Toole	Democrat
Beam, W. R. "Bill"	2540 Woody Drive, Billings	Yellowstone	Republican
Beck, Ralph J.	818 Milwaukee Ave., Deer Lodge	Powell	Republican
Blewett, Alex, Jr.	1927 Cherry Drive, Great Falls	Cascade	Republican
Boughton, Bert D.	Jordan	Garfield	Republican
Bradford, Truman G.	1st Natl. Bank Bldg., Great Falls	Cascade	Democrat
Brenner, Paul E.	Cardwell	Jefferson	Democrat
Broeder, Fred O., Jr.	Rte. 4, Kalispell	Flathead	Republican
Casey, Loran	Wolf Point	Roosevelt	Republican
Crum, Forrest H.	626 Avenue D, Billings	Yellowstone	Republican
Cummings, Everett D.	Hobson	Judith Basin	Democrat
Davis, Warren	418 Chestnut Street, Anaconda	Deer Lodge	Democrat
Deschamps, G. W.	Mullan Road West, Missoula	Missoula	Republican
Dykstra, Dan	1130 Hauser Blvd., Helena	Lewis & Clark	Republican
East, Vic	Forsyth	Rosebud	Republican
Egan, Eugene C.	Vallier	Pondera	Democrat
Eskildsen, Leslie	Malta	Phillips	Democrat
Echart, Mark S.	Glasgow	Valley	Republican
Falkenstern, Arnold H.	Terry	Prairie	Republican
Flynn, Elmer	Mullan Road, Missoula	Missoula	Democrat
Garrison, W. F. "Bill"	Glen	Madison	Republican
Gill, Henry L.	Thompson Falls	Sanders	Democrat
Goan, William S.	46 Lewis Avenue, Billings	Yellowstone	Republican
Good, John H.	404 South Excelsior Street, Butte	Silver Bow	Democrat
Haines, Tom	15 Martha's Court, Missoula	Missoula	Republican
Hanks, Virgil	Star Route, Gallatin Gateway	Gallatin	Democrat
Harper, Warren W., Sr.	717 N. Second St., Livingston	Park	Democrat
Haughey, James M.	Box 2529, Billings	Yellowstone	Republican
Hawks, Clyde L.	St. Xavier	Big Horn	Republican
Hazelbaker, Frank W.	420 S. California St., Dillon	Beaverhead	Republican
Healy, John E. "Jack"	624 W. Granite St., Butte	Silver Bow	Democrat
Hemstad, Nels	Dutton	Teton	Republican
Hibbard, Henry S.	618 Madison Ave., Helena	Lewis & Clark	Republican
Holtz, Malcolm E.	2625 4th Ave. N., Great Falls	Cascade	Republican
Jenkins, L. V., Jr.	Hysham	Treasure	Republican
Jensen, Millo	Ronan	Lake	Republican
Johnson, Edward A.	710 West 6th Street, Anaconda	Deer Lodge	Democrat
Judge, Thomas L.	417 Dearborn Avenue, Helena	Lewis & Clark	Democrat
Keller, Dr. M. F.	3101 4th Ave. N., Great Falls	Cascade	Republican
Kvaalen, Oscar S.	Lambert	Richland	Republican
Laas, Walter	Chester	Liberty	Democrat
Leuthold, John H.	Molt	Stillwater	Republican
Lewis, Joe H.	Browning	Glacier	Democrat
Lombardi, Jerry	947 Waukesha St., Butte	Silver Bow	Democrat
Lucas, James P.	500 South Strevell, Miles City	Custer	Republican
Lund, Arthur E.	Scobey	Daniels	Republican
Lundgren, Conrad F.	West Glacier	Flathead	Republican
Mathers, W. L.	314 South Merriam, Miles City	Custer	Republican
McNamer, W. R.	235 Yellowstone Ave., Billings	Yellowstone	Republican
Murray, Marshall H.	1004 Second Ave. E., Kalispell	Flathead	Republican
Nash, Joy I.	Townsend	Broadwater	Republican
Nelson, Carl	Hall	Granite	Republican
Nichols, Norris	Stevensville	Ravalli	Republican
Northey, Harry T.	514 Daly Avenue, Missoula	Missoula	Republican
Nutting, Richard A.	Silesia	Carbon	Republican
O'Hair, Allyn W.	Box 955, Livingston	Park	Democrat
Osburnsen, Arthur	Winifred	Fergus	Democrat
Pierce, John H.	1312 Parkhill Drive, Billings	Yellowstone	Republican
Raundal, Robert S. "Bob"	Winnett	Petroleum	Democrat
Rearden, John D. "Johnnie"	621 3rd Ave. N., Great Falls	Cascade	Democrat
Regan, Leonard D.	2805 3rd Ave. N., Great Falls	Cascade	Democrat
Rehberg, Jack D.	2317 Rehberg Lane, Billings	Yellowstone	Republican
Reinecke, Fred W.	Wibaux	Wibaux	Republican
Rosell, Antoinette Fraser	106½ Clark Avenue, Billings	Yellowstone	Republican
Schepens, Fred W.	221 North Merrill, Glendive	Dawson	Democrat
Schye, Elmer	Box 504, White Sulphur Springs	Meagher	Republican
Selstad, Tom	Horizon Addition, Great Falls	Cascade	Republican
Seymour, L. G. "Chink"	1926 Central Ave., Great Falls	Cascade	Republican
Shelden, Arthur H.	Route 1, Box 317, Libby	Lincoln	Democrat
Slaby, Cyril E.	612 15th Street, Havre	Hill	Democrat
Smiley, Richard D.	Route 2, Box 149, Bozeman	Gallatin	Republican
Smith, Carl M.	Olive	Powder River	Republican
Spahr, William E.	1204 4th Ave. N., Great Falls	Cascade	Democrat
Spilde, Gene	Big Timber	Sweet Grass	Republican

HOUSE OF REPRESENTATIVES—(Continued)

NAME	RESIDENCE	COUNTY	POLITICS
Stranahan, C. G.....	Box 25, Fort Benton.....	Chouteau.....	Democrat
Swanz, E. A.....	Harlowton.....	Wheatland.....	Republican
Thompson, John N.....	1213 South Fifth, Bozeman.....	Gallatin.....	Republican
Tooke, Richard D.....	Ekalaka.....	Carter.....	Republican
Tracy, Thomas P.....	2425 Nettie Street, Butte.....	Silver Bow.....	Democrat
Turnage, Jean A.....	Polson.....	Lake.....	Republican
Twedt, Gordon R.....	Rudyard.....	Hill.....	Democrat
Watt, Robert D.....	440 S. Avenue E., Missoula.....	Missoula.....	Democrat
Wayrynen, Ray J.....	133 East Broadway St., Butte.....	Silver Bow.....	Democrat
Weeks, Dr. S. A.....	Baker.....	Fallon.....	Republican
Welch, Kermit G.....	St. Regis.....	Mineral.....	Democrat
Woodard, Hubert E.....	127 Avenue C, Billings.....	Yellowstone.....	Republican
Wright, J. Stewart.....	Weldon Route, Wolf Point.....	McCone.....	Republican
Zimmer, William.....	Olney.....	Flathead.....	Democrat

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1	Introduced by Hawks: A bill for an act entitled: "An act to appropriate money for the Legislative Assembly and for the payment of per diem to the Officers and Attaches and for incidental expenses of the Thirty-eighth Legislative Assembly of the state of Montana."	22, 24, 37, 38, 40, 41, 47, 54, 55, 56.
2	Introduced by Hawks: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-eighth Legislative Assembly of the state of Montana."	22, 24, 37, 38, 40, 41, SA-47, 55, 58, 59.
3	Introduced by Blewett, Dykstra: A bill for an act entitled: "An act amending section 91-4414, R.C.M. 1947, to provide that property transfers to trusts and foundations shall be totally exempt from inheritance tax."	22, 67, S-176.
Sub. 3	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act amending section 91-4414, R.C.M. 1947, to provide that property transfers to trusts and foundations shall be totally exempt from inheritance tax."	176, 194, 202, 264.
4	Introduced by Blewett, Pierce, Seymour: A bill for an act entitled: "An act to provide for the display of a visable number on the person of a licensee while hunting, fishing or trapping."	22, 78.
5	Introduced by Haines, Bardanouve, Deschamps, Nelson, Northey: A bill for an act entitled: "An act to amend section 76-115, Revised Codes of Montana, 1947, relating to the disposition of funds by the State Soil Conservation Committee; providing that such funds shall be allocated among the State Soil Conservation Districts twenty-five (25) percentum based on the number of operators within each district and seventy-five (75) percentum according to need as determined by the state committee; providing that the request for appropriation state the number of operators per district."	22, 59, 90, 93, 109, 111, 440.
6	Introduced by Haines, Bardanouve, Deschamps, Nelson, Northey: A bill for an act entitled: "An act to appropriate twenty-four thousand dollars (\$24,000.00) to the State Soil Conservation Committee	

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	for state soil and water conservation district operations for the period beginning July 1, 1963, and ending June 30, 1965; providing that the appropriation herein shall be in addition to that appropriated or to be appropriated for administrative expenses."	22, 59, 90, 93, 109, 111, 440.
7	Introduced by Dykstra, Wright: A bill for an act entitled: "An act to amend section 68-901, R.C.M. 1947, relating to the allowances to be paid members of the public employees' retirement system of the state of Montana upon their retirement from state service, and to amend section 68-1101, R.C.M. 1947, relating to the benefits payable upon the death of members of the public employees' retirement system."	22, 67, S-285, 330, 358, 359, 360, 370, 609, 629, 630, 654, 687.
Sub. 7	A bill for an act entitled: "An act to amend section 68-901, R.C.M. 1947, relating to the allowances to be paid members of the public employees' retirement system of the state of Montana upon their retirement from state service, and to amend section 68-1101, R.C.M. 1947, relating to the benefits payable upon the death of members of the public employees' retirement system."	285, 330, 358, 359, 360, 370, 609, 629, 630, 654, 687.
8	Introduced by Murray, Haughey: A bill for an act entitled: "An act amending section 84-5606, R.C.M. 1947, to provide that the cigarette excise tax is a direct tax on the consumer."	22, 62, 71, 80, 81, 82, 457, 493, 502, 548, 574.
9	Introduced by Dykstra, Jenkins: A bill for an act entitled: "An act to amend section 11-1914, Revised Codes of Montana, 1947, relating to the duties of the board of trustees of the Fire Department Relief Association; providing such board with the power and authority to invest in and purchase certificates of deposit in addition to bonds and securities."	22, 42, 55, 60, 65, 66, 90, 92, SA-103, 114, 118, 132, 183.
10	Introduced by Harper, O'Hair, Twedt, Bradford: A bill for an act entitled: "An act requiring that meetings of public agencies shall be open to the public and press."	22, 67, 217, 275.
11	Introduced by Spahr: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests of blood, breath, saliva or urine for the purpose	

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	of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith and providing for a notice statement to be contained in drivers' license and permits hereafter issued."	22, 73, 115, 141, 172, 180, 187, 194.
12	Introduced by Jenkins, Dykstra: A bill for an act entitled: "An act to amend section 11-1310, Revised Codes of Montana, 1947, relating to the investment of city or town moneys from funds for which there is no immediate demand; providing that moneys realized from the sale of bonds, for which there is no immediate demand, may be invested by a city or town in approved securities; repealing all acts or parts of acts in conflict herewith."	23, 42, 56, 60, 66, 69, 90, 92, SA-103, 114, 118, 132.
13	Introduced by Jenkins, Dykstra: A bill for an act entitled: "An act to amend section 16-2050, Revised Codes of Montana, 1947, relating to school district or county high school funds realized from bond sales for purposes of construction; requiring the officer in charge of such funds to invest idle funds, when requested by the school district or county high school governing body, in certificates of deposit or in short-term obligations of the United States of America, and to credit interest earned to the sinking fund of such school district or county high school, notwithstanding other provisions."	23, 42, 56, 60, 62, 65, 90, 92, SA-103, 114, 118, 132, 183.
14	Introduced by Dykstra, Jenkins: A bill for an act	

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	entitled: "An act to amend section 16-2001, Revised Codes of Montana, 1947, relating to the investment of sinking funds of counties, cities and towns; providing counties, cities and towns with the power and authority to invest in and purchase certificates of deposit in addition to bonds and securities."	23, 42, 56, 60, 66, 70, 90, 92, SA-104, 114, 118, 132, 183.
15	Introduced by Dykstra, Jenkins: A bill for an act entitled: "An act to amend section 16-2044, Revised Codes of Montana, 1947, relating to the investment of county bond sinking and interest funds; providing that such funds may be invested in certificates of deposit."	23, 42, 56, 60, 66, 69, 90, 92, SA-104, 114, 118, 132, 183.
16	Introduced by Haughey, Murray, Hazelbaker, Haines, Regan, Bardanouve: A bill for an act entitled: "The Realty Certificate Act' providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947."	23, 67, 217, S-342, 395, 415, 425, 556.
Sub. 16	Introduced by Committee on Judiciary—A bill for an act entitled: "The Realty Certificate Act' providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947."	342, 395, 415, 425, 556.
17	Introduced by Jensen, Thompson, Balwin, East, Turnage, Regan, Bradford: A bill for an act entitled: "An act to amend sections 84-1802, 84-1818 and 84-1819, R.C.M. 1947, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to any county, incorporated city or town or school district or public tax supported organization of this state shall be exempt from said tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits."	33, 73, 109, S-110, 141, 168, 172, 176, 178, 348, 377, SA-383, 394, 406, 410, 505.
Sub. 17	A bill for an act entitled: "An act to amend sections 84-1802, 84-1818, and 84-1819, R.C.M. 1947, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to	

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	any county, incorporated city or town or school district of this state shall be exempt from said tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits."	110, 141, 168, 172, 176, 178, 348, 377, SA-383, 394, 406, 410, 505.
18	Introduced by Jensen, Thompson, Baldwin, East, Turnage, Regan, Bradford: A bill for an act entitled: "An act to amend section 84-1813, R.C.M. 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns, school districts, and public tax supported organizations of this state shall be exempt from said tax."	34, 73, S-110, 127, 150, 172, 176, 178, 328.
Sub. 18	A bill for an act entitled: "An act to amend section 84-1813, R.C.M. 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns, and school districts, of this state shall be exempt from said tax."	110, 127, 150, 172, 176, 178, 328.
19	Introduced by Lucas, Selstad, McNamer: A bill for an act entitled: "An act to amend section 25-609, Revised Codes of Montana, 1947, relating to salaries of elected county officials; providing that salaries of such officials shall not be changed during the entire term for which such officials are elected regardless of any change in population or taxable valuation of the county during such term; providing that persons filling vacancies that occur in such offices shall receive the same salary as their predecessors for the remainder of the unexpired term; repealing all acts or parts of acts in conflict herewith."	34, 70, 80, 85, 86, 88, 133, 137, 457, 493, 502, 548, 574.
20	Introduced by Hibbard, Bardanouve, Blewett, Nichols: A bill for an act entitled: "An act providing that moneys received by the state as indemnification for damage to state buildings may only be used to repair the damaged property, to replace the damaged property, or be transferred to the fund and account from which premiums were paid on the insurance policy."	34, 61, 70, 72, 75, 76, 116, 137, 519, 522, SA-528, 564, 584, 607.
21	Introduced by Hibbard, Bardanouve, Blewett, Nichols: A bill for an act entitled: "An act creating a state obard of equalization suspense account for the temporary deposit of moneys; au-	

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	thorizing the state board of equalization to refund overpayments of the inheritance tax and all other taxes collected by the board, plus any interest and penalty due the taxpayer, from the suspense account; amending sections 84-4501, 84-4825, 84-1812, 84-1818 R.C.M. 1947, and repealing sections 84-4953 and 84-4957 R.C.M. 1947."	34, 62, 80, 85, 86, 87, 519, 522, SA-529, 572, 578, 595, 606.
22	Introduced by Hibbard, Bardanouve, Nichols: A bill for an act entitled: "An act reorganizing the state treasury fund structure and revising state fiscal procedures for the appropriation, collection, spending and accounting of public and other moneys; amending sections 79-201, 79-306, 79-304, 79-601, 79-603, 79-813, 79-1011, 79-1015, 79-1202, 79-1203, 79-1206, 79-1208, 79-1211, 79-1212, 79-1213, 79-1214, 79-1401, 79-1403, 62-305, 3-233, 3-408, 3-420, 3-510, 3-602, 3-704, 3-904, 3-1709, 3-1715, 3-1717, 3-1906, 3-1910, 3-2004, 3-2007, 3-2207, 3-2302, 3-2315, 3-2503, 3-2803, 44-509, 44-510, 44-514, 78-501, 78-503, 84-1901, 75-3612, 75-3613, 75-3614, 75-3615, 75-3616, 75-3618, 75-3619, 75-3620, 75-3621, 75-3413, 75-2521, 75-3503, 75-3505, 75-4802, 82-3104, 75-5101, 69-3015, 11-1920, 11-1921, 15-2024, 40-2717, 82-1507, 82-1505, 82-1511, 82-1516, 82-1517, 89-116.1, 89-120, 89-402, 93-2011, 93-2014, 93-2015, 93-2020, 44-410, 44-312, 82-503, 46-105, 84-5212, 46-609, 46-704, 46-707, 46-804, 46-806, 46-911, 52-322, 46-1901, 46-1903, 46-1904, 46-1912, 46-1914, 46-1915, 84-5214, 84-2708, 3-2704, 46-904, 46-1006, 46-803, 84-5211, 91-502, 91-504, 91-505, 91-506, 91-507, 91-512, 91-523, 91-526, 66-1237, 69-3404, 66-1307, 66-1311, 66-1314, 66-2333, 66-2104, 66-2106, 66-2203, 66-2204, 66-1008, 66-1009, 66-607, 66-603, 66-608, 66-2503, 66-1527, 66-809, 82-702, 82-709, 66-407, 66-408, 66-108, 66-109, 66-513, 66-2403, 66-2407, 66-1405, 66-1410, 66-904, 66-906, 66-909, 66-919, 66-925, 66-2604, 66-2605, 66-2606, 46-2306, 46-2331, 27-409, 27-417, 26-121, 60-145, 60-147, 82-308, 78-302, 92-116, 92-119, 92-820, 69-1516, 92-840, 92-902, 92-1005, 92-1119, 92-1334, 92-1358, 92-120, 92-1101, 92-1105, 92-1102, 92-1103, 92-1106, 92-1110, 92-1114, 92-1115, 92-1116, 92-1122, 92-1123, 92-1112, 92-1113, 92-1302, 92-1343, 92-1357, 11-2030, 11-2025, 11-2026, 11-2028, 92-709A, 75-2708, 68-405, 59-103.1, 59-1104, 59-1105, 31-201, 31-205, 31-206, 31-209, 31-210, 87-111, 87-112, 87-133, 84-5621, 71-901, 4-229, 32-1619, 84-1840, 84-1816, 28-111, 81-1410, 28-123, 28-124, 81-1601, 1-501, 84-1819, 5-910, 75-3701, 81-1001, 81-1005, 75-1315, 19-121, 53-122, 94-35-152.13, 80-720, 38-210, 80-322, 66-1812, 28-304, 75-706, 75-807, 75-811, 75-723, R.C.M. 1947; and repealing sections 79-103, 79-207, 79-401 through 79-408, 79-1008, 79-1204, 79-1205, 79-1210, 79-501 through 79-505, 3-203, 78-203 through 78-208, 78-401 through 78-416, 78-502, 78-601 through 78-620, 78-701 through 78-727, 78-728 through 78-736 enacted as sections 1	

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23	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 61-211, R.C.M. 1947, relating to adoption proceedings."	35, 37, 42, 50, 51, 91, 102, 105, 120.
24	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend the appendix of forms contained in chapter 13, Laws of 1961, being the M. R. Civ. P. by adding a new form to be numbered form 23 prescribing the form of a supersedeas bond."	35, 37, 43, 50, 52, 91, 102, 105, 120.
25	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend rule 55 (b) (2), M. R. Civ. P., relating to entry of defaults."	35, 37, 42, 50, 51, 246.
26	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend rule 41, M. R. Civ. P., relating to dismissal of actions, by adding a new sub-section to be designated (e)."	35, 37, 42, 50, 51, 198, SS-238, 451, 468, 540, 541, 584, 607.
27	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Rule 8 (c), M. R. Civ. P., relating to pleading affirmative defenses."	35, 37, 43, 50, 52, 239, 246.
28	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 93-8505, R.C.M. 1947, relating to appearances in actions by defendants."	35, 38, 43, 50, 53, 91, 102, 105, 120, 216.
29	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to repeal section 93-3004, R.C.M. 1947, relating to the manner and time of issuing an alias summons."	35, 38, 42, 50, 51, 91, 102, 105, 120.
30	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to repeal Section	

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	93-3001, R.C.M. 1947, relating to commencement of civil actions."	35, 38, 42, 50, 52, 91, 102, 120.
31	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 93-2906, R.C.M. 1947, relating to change of place of trial."	35, 38, 43, 50, 53, 86.
32	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to correct a mistaken and inadvertent purported repeal of R.C.M. 1947, Section 93-2824, known as the 'General Survival Statute' which was shown as superseded by Rule 25, M. R. Civ. P., adopted as Chapter 13, Laws of 1961, effective January 1, 1962; re-enacting said Section 93-2824, R.C.M. 1947; and making the same retroactive to accomplish the purpose of correcting the mistake contained in Chapter 13, Laws of 1961, Section 79, Rule 86, and Section 82, Table B, Section 83, Table C, and Section 84, and amending tables B and C to M. R. Civ. P. by deleting therefrom reference to section 93-2824, R.C.M. 1947."	35, 38, 43, 50, 53, 129, 166, 167, 180, 188, 211.
33	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to repeal Section 93-2719, R.C.M. 1947, relating to how objection that action not commenced in time may be taken."	36, 38, 43, 50, 54, 91, 102, 105, 120.
34	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 91-901, R.C.M. 1947, relating to the filing of contests on probate of wills."	36, 38, 43, 50, 54, 91, 102, 105, 120.
35	Introduced by Leuthold: A bill for an act entitled: "An act amending Section 81-433, R.C.M. 1947, to provide for a minimum annual rental on state grazing lands of five (5) times the average price per pound of beef cattle on the farm in Montana for the previous year times the animal-unit-month carrying capacity of the land."	36, 59, 344.
36	Introduced by Bardanouve, Gill: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, to provide that any child residing at the Montana Children's Center at Twin Bridges shall be entitled to fish and hunt game birds without a class "A" license."	36, 67, 102, 115, 132, 133, 140, 219, 233, SA-241, 261, 264, 275, 292.
37	Introduced by Smiley, Thompson, Keller, Smith, Leuthold, Rehberg, Bardanouve, Laas: A bill for	

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	an act entitled: "An act changing the name of "Montana State College" to "Montana State University," "Montana State University" to "University of Montana," and "University of Montana" to "Montana System of Higher Education;" amending Section 75-402, R.C.M. 1947; and repealing Sections 75-401 and 75-402.1, R.C.M. 1947."	36, 73, 95, 188, 438.
38	Introduced by Keller, Holtz: A bill for an act entitled: "An act to amend Section 10-602, R.C.M. 1947, to provide that the crimes of arson, and assault in the second degree, be included in those crimes for which a child over sixteen (16) years of age may be prosecuted as an adult."	36, 58, 70, 73, 76, 81, 82, 205, 216, 217, 239.
39	Introduced by Hawks, Etchart, Hibbard, Smith, Garrison, Hazelbaker, Boughton: A bill for an act entitled: "An act to amend Section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-first Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of the Thirty-second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for an increase in the rental rates of state grazing lands having a higher than average carrying capacity, repealing all acts and parts of acts in conflict herewith, and providing an effective date."	36, 59, 344.
40	Introduced by McNamer: A bill for an act entitled: "An act to amend Section 93-3702, R.C.M. 1947, relating to the verification of pleadings."	39, 42, 55, 60, 66, 68, 129, 166, 167, 180, 188, 211.
41	Introduced by Lucas, Murray, McNamer: A bill for an act entitled: "An act authorizing and empowering the supreme court of the State of Montana to regulate by rules, the pleading, practice and procedure in civil cases in the courts of the State of Montana, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits."	39, 42, 56, 60, 62, 65, 130, 166, 167, 180, 188, 211.
42	Introduced by Lucas, Mathers: A bill for an act entitled: "An act to provide that any person owning any interest in real property in the State of Montana may transfer the same to himself, and any other person, in joint tenancy, with the right of	

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	survivorship, without the necessity of any transfer to or through any third person."	39, S-66, 76, 78, 217, 374, 390, 394, 401, 591, 614, 615, 669, 687.
Sub. 42	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to provide that any person owning any interest in real property in the state of Montana may transfer the same to himself, and any other person, in joint tenancy, with the right of survivorship, without the necessity of any transfer to or through any third person."	66, 76, 78, 217, 374, 390, 394, 401, 591, 614, 615, 669, 387.
43	Introduced by Nichols, Schye, Mathers, Haines, Smith, Hawks, Bardanouve, Laas: A bill for an act entitled: "An act to amend Section 5-910, Revised Codes of Montana, 1947, relating to special examinations and the fees for same; providing for the payment of examination fees by state boards, commissions, and agencies operating on earmarked revenue for all examinations, whether special or regular; repealing all acts or parts of acts in conflict herewith."	39, 67, 102, 109, 118, 124, 451.
44	Introduced by Aasheim, Eskildsen, Gill, Stranahan, Raundal, Kvaalen: A bill for an act entitled: "An act amending Section 84-1818, R.C.M. 1947, to provide that applications for refund of gasoline license tax shall be filed within twelve (12) months after the date of purchase."	39, 73, 85, 92, 93, 98, 152, 173, 180, 188, 211.
45	Introduced by Blewett, Bradford, Seymour, Holtz, Haughey, Regan, Healy: A bill for an act entitled: "An act to amend Section 71-302, R.C.M. 1947, to provide that time spent in a licensed nursing home or hospital, or a private charitable institution, shall not be counted in determining county residence for the purpose of relief."	39, 59, 307, 324, 337, 348, 355, 457, 493, 502, 548, 574.
46	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the Laws of Montana replacement volume number 3 (in two parts) and replacement volume number 4 (in two parts of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes."	39, 42, 55, 60, 66, 69, 130, 166, 167, 180, 188, 211.
47	Introduced by Leuthold, Jensen, Turnage, Adams: A bill for an act entitled: "An act to amend Section 16-1803, Revised Codes of Montana, 1947,	

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	relating to requests for bids in making purchases by county commissioners; providing that the requirements of said section shall apply also to contracts for the construction of buildings."	40, 70, 80, 85, 86, 87, 151, 172, SA-174, 194, 195, 196, 217, 239.
48	Introduced by Spahr, Wayrynen, Haines, Bradford, Slaby: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V of the constitution of Montana to provide for annual sessions of the legislative assembly."	40, 346.
49	Introduced by Leuthold, Jensen, Turnage: A bill for an act entitled: "An act to amend Section 11-808 R.C.M. 1947, providing for the transfer of municipal funds; providing that transfers may only be made of surplus funds at the end of the fiscal period and only when such fund will not require a levy in the following fiscal period; providing that such transfers may only be made by ordinance or resolution of the council."	40, 73, 110, 132, 156, 166, 171, 556.
50	Introduced by Leuthold, Jensen, Turnage: A bill for an act entitled: "An act to amend Section 11-1202, Revised Codes of Montana, 1947, relating to awarding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dollars (\$1,000.00); providing that the requirements of said section shall apply also to contracts for the construction of buildings."	40, 73, 78, 84, 92, 93, 98, 151, 172, SA-174, 194, 195, 196, 217, 239.
51	Introduced by Wayrynen, Beck: A bill for an act entitled: "An act regulating the operation of Mortuaries and the practice of Mortuary Science and Funeral Directing; establishing a state board of morticians; amending sections 69-119, 69-2306, 69-2309, 69-2310, and 9-604, R.C.M. 1947, and repealing sections 82-701, 82-702, 82-703, 82-704, 82-705, 82-706, 82-707, 82-708, 82-709, 82-710, and 82-711, R.C.M. 1947."	45, 78, 93, 109, 111, 114, 270, 292, 360, 402.
52	Introduced by Spahr: A bill for an act entitled: "An act amending section 43-310, R.C.M. 1947, to increase the daily compensation of members of the Legislative Assembly from twenty dollars (\$20.00) to thirty dollars (\$30.00) and increasing	

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	mileage payments from seven to eight cents per mile."	45, S-125, 150, 172, 173, 220, 538, 676.
Sub. 52	A bill for an act entitled: "An act amending section 43-310, R.C.M. 1947, to provide for a per diem payment of twelve dollars (\$12.00) per day and for an increase in the mileage payments to members of the Legislative Assembly."	125, 150, 172, 173, 220, 538, 676.
53	Introduced by Spahr: A bill for an act entitled: "An act to amend section 43-310, R.C.M. 1947, by providing monthly compensation for members of the Legislative Assembly and increasing mileage payments from seven to eight cents per mile."	45, 120.
54	Introduced by Nash, Schye, Wayrynen, Rosell, Spahr, Eskildsen, Blewett: A bill for an act entitled: "An act providing for the establishment, control, financing, conduct and maintenance of a Department of Montana State Hospital which will provide services for the custody, care, treatment and rehabilitation of persons suffering from illness of alcoholism; provide for the admission, detention, costs, maintenance and release of patients; provide for research into the causes of alcoholism; provide for prevention of alcoholism; and repealing Chapter 7 of Title 38 of the Revised Codes of Montana as amended."	45, 64, 110, 132, 156, 166, 170, 490, 503, SA-508, 540, 541, 584, 607.
55	Introduced by Turnage, Jensen, Casey, Haughey, Murray, Judge, Gill, Flynn, Bradford: A bill for an act entitled: "An act to provide for the assumption of criminal and/or civil jurisdiction over certain Indians and their reservations and land as authorized by federal law; providing the time and the method thereof, and the duty of the governor with respect thereto."	45, 58, 71, 78, 151, 167, 172, 180, 186, 187, 413, 421, SA-444, 464, 466, 495, 567.
56	Introduced by Crum, Bashor: A bill for an act entitled: "An act providing for the application, qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for the collection and disposition of fees; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by non-residents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission and district court; prescribing fees and their disposal;	

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	providing penalties for the violation of this act or of any rule or regulation issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by Chapter 129, Laws of 1957, Chapter 130, Laws of 1957, Chapter 131, Laws of 1957, and Chapter 132, Laws of 1957, providing section 94-1822 of the Revised Codes of Montana of 1947, shall not be amended, modified, or repealed by this act; and containing an effective date for this act; and repealing all acts and parts of acts in conflict herewith."	46, 77, 94, 132, 156, 166, 171, 549, 583, 620, SA-622, 671, 686, 713.
57	Introduced by Haughey, Mathers, Blewett, Deschamps, Nichols, Haines: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-first Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of the Thirty-second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for a graduated increase in such rental rates based upon carrying capacities of such lands, repealing all acts and parts of acts in conflict herewith, and providing an effective date."	46, 59, 344.
58	Introduced by Dykstra, Regan, Hibbard: A bill for an act entitled: "An act amending section 77-117, R.C.M. 1947, to provide for an Assistant Adjutant General for army and an Assistant Adjutant General for air."	48, 79, 102, 109, 118, 124, 490, 502, 511, 534.
59	Introduced by Hibbard, Haughey, Blewett, Bardanoue, Spahr, Regan: A bill for an act entitled: "An act to appropriate money for the operation of the Legislative Council for the biennium beginning July 1, 1963."	48, 71, 81, 84, 638, 648, 654, 656, 658, 678, 686, 688, 691, 712.
60	Introduced by Lucas, Selstad, McNamer: A bill for an act entitled: "An act to amend section 16-912, Revised Codes of Montana, 1947, relating to compensation of members of the boards of county commissioners; providing that the salaries of the members of such boards shall not be changed during the entire term for which such members are elected, regardless of any change in the classification of the county during such term; providing that persons filling vacancies on	

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	the boards of county commissioners shall receive the same salary as their predecessors for the remainder of the unexpired term; repealing all acts or parts of acts in conflict herewith; providing an effective date."	48, 70, 80, 85, 86, 88, 457, 503, SA-507, 540, 541, 584, 607.
61	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act directing the Commissioner of Agriculture to transfer the Department of Agriculture Elevator Storage Trust Fund held by the First National Bank and Trust Company, Helena, Montana, and the Department of Agriculture Bean Storage Fund, held by The Yellowstone Bank, Laurel, Montana, to the general fund."	48, 71, 80, 85, 86, 88, 519, 540, 541, 584, 607.
62	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act providing for a corporate surety bond for operation of a public warehouse; amending section 3-228, R.C.M. 1947, to require bond be furnished by a corporate surety."	49, 71, 80, 85, 86, 87, 151, 172, SA-175, 194, 196, 217, 239.
63	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act to make confidential the warehouseman reports furnished to the commissioner of agriculture; and amend section 3-227, R.C.M. 1947."	49, 71, 80, 85, 93, 99, 197.
64	Introduced by Goan, Haughey, Thompson: A bill for an act entitled: "An act to amend section 1, Chapter 267 of the Laws of the Thirty-fourth Legislative Assembly, 1955, as amended by section 1, Chapter 16 of the Laws of the Thirty-Fifth Legislative Assembly, 1957, and by section 2, Chapter 36 of the Laws of the Thirty-Sixth Legislative Assembly, 1959, compiled as section 26-202.1, R.C.M. 1947, relating to fish and game licenses, fees, classification of licenses, fees and powers under licenses, to provide that holders of class A-1 resident big game licenses who apply for special licenses for moose, mountain goat, mountain sheep, bison or buffalo shall be given preference over applicants who hold a class B-2 nonresident big game license."	49, 141, 214, 221, 234, 265, 283, 290, 421, 441, 442, 450, 465.
65	Introduced by Goan, Bailey, Smith, Hibbard, Hanks, Seymour, Tracy, Jenkins, Haughey, Spilde: A bill for an act entitled: "An act to amend section 2,	

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	Chapter 267, Laws of the Thirty-Fourth Legislative Assembly, 1955, compiled as section 26-202.2, R.C.M. 1947, relating to special fish and game licenses and the tagging of the carcasses of game animals, by providing a lesser period within which persons who have obtained a special license may again make application for such a license, and repealing all acts and parts of acts in conflict herewith."	49, 106, 125, 132, 133, 140, 239, 246, 247, 288, 303, SA-310, 360, 380, 495, 518.
66	Introduced by McNamer, Hawks, Stranahan, Adams: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed fourteen (14) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith."	49, 67, 116, 127, 150, 172, 175, 180, 184, 186, 457, 494, 495, 520, 619, 633, 690, 705, 706, 708, 709, 710, 714, 715.
67	Introduced by Kvaalen, Rosell, Wright, Beam, Seymour, Haughey, Lund, Leuthold, Spahr, Northey, Smiley, Regan, Lundgren: A bill for an act entitled: "An act making certain changes in the general administration of providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools by amending sections 75-1713.1, 75-1723, 75-1816, 75-3611, 75-3612, 75-3616, 75-3617, 75-3618, 75-3619, 75-3706, 75-3722, 75-3801, 75-4230, 75-4516.1 and 75-4518.1, R.C.M. 1947, relating to changes in budget by budget board when in excess of foundation program—restrictions on budgets, fixing tax levy, determination of levy in joint school districts, definitions—schedules of financial program, foundation program, distribution of funds—reports may be required, application for approval as isolated schools, distribution of money available to school districts—formula for apportionment of county funds, formula for distribution of state funds, common school levy, duties of county treasurer, district school taxes—election, attendance outside of county of pupil's residence, levy of taxes, reduction in budget by budget board—allowance of additional expenses over foundation program; and by repealing sections 75-3620, 75-3621, 75-3622, 75-3623, 75-4507, 75-4508, 75-4509, and 75-4510, R.C.M. 1947, relating to state superintendent to give notice if state fund inadequate, resolution to issue warrants—hearing, authorization to issue warrants, method of payment of warrants, increase of budgets for high schools—when authorized, special tax levy—rate, application of act and construction of act."	49, 361.

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68	Introduced by Keller, Turnage, Lucas: A bill for an act entitled: "An act to amend section 15-401, R.C.M. 1947, to remove the upper limit of directors for charitable and non-profit organizations."	50, 79, 182.
69	Introduced by Murray, Lucas: A bill for an act entitled: "An act amending section 25-501, R.C.M. 1947, and amending section 93-303, and repealing section 72-106, to increase the salaries of elected state executive officials, supreme court judges, district court judges and others, and providing for an effective date."	50, 79, 125, 141, 167, 172, 173, 210, 223, 224, 231, 608, 620, SA-627, 657, 672, 712.
70	Introduced by Reinecke, Stranahan, Haines, Welch: A bill for an act entitled: "An act prohibiting certain retail sales on Sunday and providing penalties for violation of said act."	56, 94, 429.
71	Introduced by Jensen, Broeder, Lundgren, Lucas, Regan, Smiley, Haines: A bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public."	56, 217, S-316, 334, 358, 373, 376, 568, 596, 630, 654.
Sub. 71	A bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public and providing exceptions."	316, 334, 358, 373, 376, 568, 596, 630, 654.
72	Introduced by Turnage, Lucas, Garrison: A bill for an act entitled: "An act to amend section 26-202.3, R.C.M. 1947, to clarify the definition of a resident for hunting and fishing license purposes, and deleting an obsolete provision on citizenship papers."	56, 78, 84, 92, 93, 97, 205, 216, 217, 239.
73	Introduced by Pierce, Regan, Healy, Keller, Swanz, Stranahan: A bill for an act entitled: "An act to amend section 4-170, R.C.M. 1947, by deleting therefrom provisions preventing the canvassing or soliciting of orders for the purchase or sale of liquor by agents, representatives or intermediaries of distillers or distributors; providing for sales	

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	promotion by distiller's or distributor's agents, representatives or intermediaries, license and fee therefor; prohibiting political contributions by such agents, representatives or intermediaries; and providing a penalty therefor."	56, 142, 173, 187, 188, 193, 452.
74	Introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-1103, Revised Codes of Montana, 1947, relating to the prevention of the spread of contagious disease among fruit and fruit trees, to allow the re-use of any crate, box, barrel, package or wrapping once having contained fruit."	57, 77, 84, 92, 93, 98, 151, 172, SA-175, 194, 195, 217, 239.
75	Introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-1404, Revised Codes of Montana, 1947, relating to the grading, branding and labeling of farm products; to provide for the repeal of subsection F and making the U. S. Commercial Grade A standard grade in the state of Montana."	57, 77, 84, 92, 93, 98, 177, 187, SA-192, 196, 217, 239.
76	Introduced by Leuthold: A bill for an act entitled: "An act to repeal Section 90-205, Revised Codes of Montana, 1947, relating to the size of box in which apples shall be packed and offered for sale."	57, 78, 84, 92, 100, 106, 127.
77	Introduced by Broeder: A bill for an act entitled: "An act providing for the creation of a state board of public accountancy to regulate the conduct of certified public accountants and public accountants; providing for the appointment, terms of office, powers and duties of the board; providing for the registration and licensing of certified public accountants and public accountants; providing for the issuance of certificates to certified public accountants and certificates of proficiency to public accountants; providing for certified public accountants' and public accountants' examination and the administration thereof; providing for the revocation and suspension of certificates and licenses and for disciplinary procedures; making certain acts unlawful and prescribing penalties; and repealing sections 66-1801, 66-1802, 66-1803, 66-1804, 66-1805, 66-1806, 66-1807, 66-1808, 66-1809, 66-1810, 66-1811, and 66-1812, R.C.M. 1947, as amended, and all other acts and parts of acts in conflict therewith."	57, 102, 200.
78	Introduced by Leuthold: A bill for an act entitled: "An act providing for a recount of votes in elections; declaring the method of determining when	

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	a recount may be requested; specifying the duties of the secretary of state and the county clerks; establishing county recount boards; providing the method of recount; providing for the expense of a recount; and amending sections 23-1611, 23-1712, and 23-1807, R.C.M. 1947."	57, 100, 115, 132, 133, 140, 327, 348, 355, 360, 402.
79	Introduced by Blewett, Haughey, Murray: A bill for an act entitled: "An act to amend Section 91-1101 and Section 91-1107, Revised Codes of Montana, 1947, so as to change the time for contesting a will after probate thereof from one year to six months."	59, 62, 71, 80, 81, 83, 130, 166, 167, 180, 188, 211.
80	Introduced by Judge: A bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public."	59, 217, 275.
81	Introduced by Tracy, Healy, Lombardi, Good, Deschamps, Haines, Weeks, Seymour: A bill for an act entitled: "An act to include trainable mentally retarded children within the responsibility of the public schools and allow school districts to provide special classes or services for such children; and amending Sections 75-5001 and 75-5003, R.C.M. 1947."	59, 119, 166, 180, 186, 187, 328, 358, 359, 365, 375, 446, 492, 538, 558, 575, 579, 584, 617, 632, 634, 651, 674, 677, 678, 691, 712.
82	Introduced by Rehberg, Rosell, Leuthold, Lucas, Woodard: A bill for an act entitled: "An act to amend Section 3-2476 of the Revised Codes of Montana, 1947, relating to the definition of ice cream; to provide that the minimum weight of ice cream be not less than four and one-half (4½) net pounds per gallon."	59, 77, 89, 100, 104, 152, 173, 180, 188, 211.
83	Introduced by Harper, O'Hair, Bradford, Laas: A bill for an act entitled: "An act amending Section 75-1620, R.C.M. 1947, to increase the rate of pay for judges of election of school districts of the first and second class."	59, 191, 287.
84	Introduced by Spahr: A bill for an act entitled: "An act to provide for the control of the possession of alcoholic beverages by a person under twenty-one (21) years of age while driving or in	

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	actual physical control of a motor vehicle, and penalty for violation of this act."	59, 126, 308.
85	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of cigarette tax refunds, corporation license tax refunds, inheritance tax refunds, and unclaimed dividends of a closed banking corporation."	59, 60, 70, 73, 75, 76, 143, 172, SA-174, 194, 196, 217, 239.
86	Introduced by Selstad, Leuthold, Hanks: A bill for an act entitled: "An act amending Section 3-1714, R.C.M. 1947, (a) definition of 'fertilizer material'; (f) provisions after due public notice to change guarantees from phosphoric acid to phosphorus and from potash to potassium, and guarantees of other nutrients; (g) provisions for grade to agreed with guaranteed analysis; (F) define specialty fertilizer; (g) define soil amendment. Amending Section 3-1715, R.C.M. 1947, requiring registration of soil amendments, changing phosphoric acid to phosphorus and potash to potassium, information required to register soil amendments, requiring licensing of blenders and mixers of fertilizer materials. Amending Section 3-1716, R.C.M. 1947, providing for labeling of soil amendments. Repealing Section 3-1719, R.C.M. 1947. Minimum plant food. Amending Section 3-1723, R.C.M. 1947, rules and regulations. Provide procedures to adopt rules and regulations and provide for hearings. Amend section 3-1724, R.C.M. 1947. Cancellation of registration. To designate hearing procedure. Effective date of amendments, July 1, 1963, except date provided for change in guaranteed analysis."	61, 106, 132, 156, 166, 171, 255, 282, 360, 402.
87	Introduced by Smith, Mathers, Lucas: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and containing an expiration date."	61, 141, 316.
88	Introduced by Dykstra, Bradford: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'the 1963 bond validating act'; con-	

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	taining a repealing clause and providing an effective date."	61, 111, 246, 267, 291, 294, 300, 490, 502, 548, 574.
89	Introduced by O'Hair, Harper, Pierce, Nutting, Hanks, Hazelbaker: A bill for an act entitled: "An act amending Section 32-21-113, R.C.M. 1947, relating to shooting across public roadways under control of the state of Montana or political subdivisions of the state."	61, 79, 142.
90	Introduced by Hibbard, Tooke, Smith, Hazelbaker, Hanks, Judge, Bardanouve: A bill for an act entitled: "An act to amend Section 46-1005 of the Revised Codes of Montana, 1947, by enlarging the definition of an estray to include sheep and lamb."	64, 73, 84, 92, 97, 228, 275, 292.
91	Introduced by Bailey, Welch, Zimmer, Tracy, Northey: A bill for an act entitled: "An act to amend Section 26-701, and to repeal Sections 26-702, 26-703, and 26-707, Revised Codes of Montana, 1947, relating to shipment of animals from the state."	64, 141, 151, 166, 180, 182, 185, 238, 261, 264, 275, 292.
92	Introduced by Deschamps, Northey, Broeder, Haines, Nelson, Flynn, Watt: A bill for an act entitled: "An act to amend Section 53-122, R.C.M. 1947, relating to registration fees of motor vehicles and the disposition thereof by providing for the division of license or registration fees between the county and incorporated cities and towns within the county in a pro rata manner; and restricting the use of the monies by cities, towns and counties."	64, 347, 406, 418, 422, 437, 609, 666, 667, 672, 686.
93	Introduced by Keller, Leuthold, Beam: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana, 1947, as amended by Chapter 166, Laws of 1961, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the state of Montana; providing for salary increases and change in qualifications; and repealing all acts and parts of acts in conflict herewith."	64, 71, 85, 86, 87, 457, 503, 508, 540, 541, 584, 607.
94	Introduced by Bardanouve, Aasheim: A bill for an act entitled: "An act relating to the disposition of unclaimed property and making uniform the law with reference thereto; making provision for classifying such property as abandoned and setting up provisions of law for handling such property	

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	so as to protect the interests of the original owners, relieve the holders of annoyance, expense and liability, preclude multiple liability, and preserve any windfalls that may result from abandonment to the state of Montana; providing that the funds becoming available to the state under the provisions of this act shall be deposited in the public school fund; and providing penalties for violations of this act." -----	64, 217, 296, 330, 358, 360, 369, 568, 620, 634, SA-648, 677, 678, 691, 712.
95	Introduced by Tracy, Johnson, Lombardi: A bill for an act entitled: "An act providing for the creation of an air pollution control council; providing definitions; providing for the appointment of council members; providing powers and duties of the council; providing the state board of health to administer this act under the supervision of the council; prohibiting the discharge of air contaminants and describing such contaminants; providing for hearings, issuance of permits and authorizing variances from the standards of this act; providing for the suspension or revocation of permits and the revocation or modification of any variance, providing for the issuance of rules, regulations and orders of the council; providing subpoena power and contempt of the council; authorizing the entry into premises to enforce this act or the rules, regulations or orders of the council; providing for appeals to the district court and supreme court; prescribing penalties for the violation of this act or any rule, regulation or order of the council; providing for injunctive proceedings; and containing a severability clause." -----	65, 317.
96	Introduced by Raundal, Osburnsen, Mathers, Eskildsen, Wright: A bill for an act entitled: "An act to prohibit the hunting of wild animals between the hours of one-half hour after sunset and one-half hour before sunrise, except that the act shall not apply where written permission is given by the landowner or lessee." -----	67, 141, 377, 385, 390, 394, 399.
97	Introduced by Healy, Turnage, Lucas, Murray, Wayrynen: A bill for an act entitled: "An act to amend Section 16-1001, R.C.M. 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners may, in its discretion, pay proper charges for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities, or other property; repealing acts or parts of acts in conflict herewith." -----	67, 133, 181, 327, 421.
98	Introduced by Smith, Welch, Gill, Pierce: A bill for	

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	an act entitled: "An act to amend Sections 26-202.1, 26-215, 26-510, Revised Codes of Montana, 1947, relating to hunting and fishing licenses, classification, fees, and powers and duties thereunder."	67, 141, 316, 338, 376, 377, 384, 568, 602, 603, 605, 630, 654.
99	Introduced by Rehberg, Haughey, Cummings, Rosell: A bill for an act entitled: "An act to amend Sections 27-401, 27-402, 27-403, 27-404, 27-405, 27-406, 27-407, 27-414, and 27-416, R.C.M. 1947, by removing the power of the state milk control board to fix distributor and dealer milk prices unless necessary to maintain producer prices; and repealing Section 27-427, R.C.M. 1947."	67, 133, 208, 310.
100	Introduced by Dykstra, Blewett: A bill for an act entitled: "An act to adopt the uniform act for simplification of fiduciary security transfers as promulgated by the national conference of commissioners on uniform state laws in 1958; establishing a mode for transfer of securities held by fiduciaries; providing evidence of appointment or incumbency of a fiduciary; providing for the filing of adverse claims; and removing a duty by corporations and transfer agents to inquire into the rightfulness of security transfers by fiduciaries."	68, 120, 142, 176, 187, 188, 192, 497, 523, 548, 574.
101	Introduced by Leuthold, Thompson, Pierce, Smiley, Deschamps, Watt, Spahr, Wayrynen: A bill for an act entitled: "An act providing for supplemental publication by radio broadcast and television broadcast of any notice required by law to be published by any official of the state or any of its political subdivisions."	68, 217, S-322, 372, 385, 386, 389, 568, 602, 603, 605, 630, 655.
Sub. 101	A bill for an act entitled: "An act providing for supplemental publication by radio broadcast and television broadcast of a summary of any notice required by law to be published by any official of the state or any of its political subdivisions."	382, 372, 385, 386, 389, 568, 602, 603, 605, 630, 655.
102	Introduced by Haines, Northey, Deschamps, Lundgren, Broeder, Watt: A bill for an act entitled: "An act amending Sections 69-1329 and 69-1331, R.C.M. 1947, relating to state water pollution council and to the powers and duties of the board of health."	68, 126, 252.
103	Introduced by Bardanouve, Zimmer: A bill for an act entitled: "An act changing the name of the	

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	state soldier's home to the 'Montana Veteran's Center' and changing the provision for appointment of the board of managers of the home; amending sections 80-303 and 80-304, R.C.M. 1947."	68, 111, 126, 141, 172, 176, 178.
104	Introduced by Blewett, Lucas, Murray, Stranahan, McNamer, Bardanouve, Haughey: A bill for an act entitled: "An act to submit to the electors of the state of Montana an amendment to the constitution of Montana relating to the selection of supreme court justices; creating a judicial nominating commission and providing for the appointment of supreme court justices by the governor from lists of nominees submitted by the judicial nominating commission; amending Sections 34 and 35, Article VIII of the constitution; and repealing sections 6, 7 and 8, Article VIII of the constitution."	68, 375, 401, 411, 415, 429, 441, 442.
105	Introduced by Mathers, Haines, Schye, Kvaalen, Rosell, Goan: A bill for an act entitled: "An act to amend Sections 84-1502 and 84-1504 of the Revised Codes of Montana, 1947, to provide that dividends paid on capital stock of cooperative organizations and amounts allocated as patronage dividends or otherwise to patrons of cooperative organizations shall not be deductible in the calculation of gross income for Montana corporation license tax purposes; providing a deduction from gross income for patronage dividends actually paid in cash during the taxable year; stating the purpose of this act; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act."	68, 306, 338, 359, 372, 385, 388, 410, 608, 616, 617, 633, 636, 637, 650, 673, 675, 676, 693, 694, 695, 700, 707, 714.
106	Introduced by Schepens, Lewis, Jensen, Schye, Keller, Bradford, Lucas: A bill for an act entitled: "An act to amend Section 5, Chapter 195, Laws of 1959, compiled as Section 11-3905, R.C.M. 1947, relating to the finding of necessity by the local governing body in the exercise of urban renewal powers; providing for a referendum with respect to such finding of necessity in lieu of an election."	72, 110, 132, 156, 297, 310.
107	Introduced by Smiley, Leuthold, Rehberg, Hawks, Jensen: A bill for an act entitled: "An act to provide registration of commercial feeds; defining commercial feed and other terms; to provide for labeling commercial feeds; to provide for inspection and sampling of commercial feeds and fees therefore; to provide prohibition against distribution of non-registered, adulterated, or mis-	

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	branded feeds; to provide for the administration of this act by the Commissioner of Agriculture and empowering him to make rules and regulations necessary to administration of this act; to provide power in the Commissioner to detain, condemn and confiscate feeds being distributed in violation of this act or regulations made thereunder; to provide penalties for violations of this act or regulations; and to take effect and be in force from and after the first day of January, 1964; and repealing Sections 3-2001, 3-2002, 3-2003, 3-2004, 3-2005, 3-2006, 3-2007, 3-2008, 3-2009, 3-2010, 3-2011, R.C.M. 1947."	72, 133, 263, 305, 324, 325, 330, 519, 522, SA-529, 572, 578, 595, 606.
108	Introduced by Keller, Haines: A bill for an act entitled: "An act to amend Section 71-217, Revised Codes of Montana, 1947, relating to authority of the State Department of Public Welfare to reduce the reimbursements of the county share of personnel costs in certain circumstances; and repealing all acts and parts of acts in conflict herewith; and fixing an effective date."	72, 78, 89, 100, 104, 238, 266, SA-272, 292, 360, 402.
109	Introduced by Nichols, Asbjornson, Adams: A bill for an act entitled: "An act to appropriate twenty-five thousand dollars (\$25,000) to the State Highway Commission for state parks operations and expenses for the period beginning on the effective date of this act and ending June 30, 1963; providing an effective date."	72, 237, 256, 274, 277, 281, 452, 464, 466, 495, 518.
110	Introduced by Regan, Spahr, Aasheim, Mathers, Wayrynen, Blewett, Rosell: A bill for an act entitled: "An act directing the state board of education to study the school laws and to prepare and submit a proposed code of school laws to the Thirty-Ninth Legislative Assembly and appropriating moneys to meet expenses of such study and codification."	74, 639.
111	Introduced by Bardanoue, Osburnsen: A bill for an act entitled: "An act changing the name of the home for senile men and women to the 'Montana Center for the Aged'."	74, 111, 119, 150, 172, 176, 179.
112	Introduced by Hanks, Smiley, Leuthold, Asbjornson, Osburnsen: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the state of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the state of Montana a division of wheat and	

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	marketing research; to define terms used in this act; to declare the public policy of the state of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana wheat research and marketing committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the state of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval."	74, 133, 213, 239, 266, 283, 290, 298, 311.
113	Introduced by Slaby, Jensen, Schye, Lewis: A bill for an act entitled: "An act for the submission to the qualified electors of the state of Montana of an amendment to the constitution of the state of Montana, amending section 6 of Article XVI of said constitution, relating to the authorization of the legislative assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the constitution provided as public convenience may require increasing the limit of time of office from two years to four years."	75, 346, 377, 390.
114	Introduced by Hibbard, Haughey: A bill for an act entitled: "An act to amend section 46-1411, Revised Codes of Montana, 1947, relating to the duty of owners or possessors of unfenced lands or patented mining claims within or adjacent to national forest reserves to mark the boundaries thereof, to provide that the same duty shall be imposed upon the owner or possessor of an unpatented mining claim; and to amend section 46-1413, Revised Codes of Montana, 1947, relating to limitations on the right to bring action against the owner of trespassing livestock where boundaries have not been marked, to provide that such limitations shall be applicable to unpatented	

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	mining claims and to all livestock; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	75, 95, 105, 118, 123, 124, 198, 201, 208, 217, 239.
115	Introduced by Hibbard, Bailey: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, Chapter 157, Laws of 1949; as amended by section 1, Chapter 126, Laws of 1951; as amended by section 1, Chapter 223, Laws of 1953; as amended by section 1, Chapter 193, Laws of 1955; relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto; to provide that dogs may be used for hunting black or brown bear; and providing for an effective date."	75, 106.
116	Introduced by Broeder: A bill for an act entitled: "An act to amend section 53-615, R.C.M. 1947, relating to fees on trucks, tractors, trailers, semi-trailers and other vehicles; providing for certain exemptions therefrom; amending section 53-642, R.C.M. 1947, relating to movement of special mobile equipment over the highways and redefining the term 'special mobile equipment'; providing that equipment and machinery which cannot be self-propelled or towed upon the highways of this state shall be exempt from the terms and provisions of Title 53, R.C.M. 1947."	75, 142, 176, 187, 188, 193, 549, 596, 630.
117	Introduced by Goan, Bardanouve: A bill for an act entitled: "An act establishing a central office for the collection and processing of fees due the state for the care of patients in custodial institutions; amending sections 10-119, 38-108 and 38-815, R.C.M. 1947; and repealing sections 38-118, 38-214, 38-304, 38-409, 38-411, 38-412, 38-707, 38-708, 38-808, 38-809, 38-809.1, 38-812, 80-211, 80-212 and 80-213, R.C.M. 1947."	79, 137, 361, 406, 411, 415, 429, 591, 600, SA-602, 668, 669, 672, 712.
118	Introduced by Beam, Wayrynen, Lucas, Slaby: A bill for an act entitled: "An act to amend sections 11-1925, 11-1926 and 11-1927, R.C.M. 1947, relating to service pensions, disability pensions and pensions to widows and orphans of firemen, and the increase thereof."	79, 126, 137, 195, 246, 260, 266, 273, 413, 441, 442, 450, 465.
119	Introduced by Leuthold, Jensen, Garrison, Stranahan: A bill for an act entitled: "An act to amend section 89-121 of the Revised Codes of Montana, 1947, relating to the authority of the State Water	

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	Conservation Board to appropriate and store, divert and control the unappropriated waters of the state, and providing for recording of notice and priority of right."	79, 133, 191, 206, 216, 217, 222, 568, 620, SA-623, 666, 667, 672, 712.
120	Introduced by Leuthold, Adams: A bill for an act entitled: "An act to amend section 69-812, Revised Codes of Montana, 1947, relating to the financing of county and district health departments and boards of health; providing that any tax levy made on any property pursuant to this section shall be based on taxable valuation; providing an effective date."	79, 95, 105, 113, 123, 549.
121	Introduced by Aasheim, Bradford, Shelden: A bill for an act entitled: "An act to provide a method for nonpartisan nominations for the office of County Superintendent of Schools at the regular primary nominating election; and to amend section 23-1106, R.C.M. 1947."	79, 100, 106.
122	Introduced by Haines, Bardanouve, Watt, Twedt, Slaby: A bill for an act entitled: "An act to provide for tuition assistance for special education outside the State of Montana when adequate public facilities do not exist within the state; authorizing the Superintendent of Public Instruction to determine eligibility of children for assistance; defining tuition assistance; requiring approval of institution attended; providing a method for payment; establishing school district and state obligations for payment; and requiring publication of rules and regulations by the Superintendent of Public Instruction."	81, 190.
123	Introduced by Watt, Northey, Haines: A bill for an act entitled: "An act amending sections 31-127 and 31-129, R.C.M. 1947, relating to the issuance of operators licenses and instruction permits; requiring persons to be sixteen (16) years old to be eligible for such licenses or permits; prohibiting driving by drivers between the ages of sixteen (16) and eighteen (18) during the hours of darkness unless accompanied by a parent or guardian."	81, 200, 205.
124	Introduced by Pierce, Rosell, Healy, Lombardi: A bill for an act entitled: "An act to provide that licensed physicians and surgeons, and other persons, shall not be liable for any civil damages for the rendition of emergency care or assistance done without compensation at the scene of emergencies or accidents, for any acts or omissions by such persons rendering such emergency care."	82, 217, 251, 282, 294, 298, 326, 358, 376, 377, 383, 497, 523, 548, 574.

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125	Introduced by Hazelbaker, Dykstra: A bill for an act entitled: "An act to amend section 10-111, Revised Codes of Montana, 1947, relating to the bearing of expenses in furnishing free higher education to certain inmates of the Montana Children's Center, The State Industrial School and The State Vocational School for Girls; raising the expenses to be borne by the above enumerated institutions for each of such students from four hundred dollars (\$400.00) to eight hundred dollars (\$800.00); providing an effective date."	82, 119, 150, 172, 176, 179, 549, 577, 578, 595, 606.
126	Introduced by Gill: A bill for an act entitled: "An act providing that boundaries of a television district created by authority of Chapter 198, Laws of 1961, may be altered and outlying areas may be annexed from territory contiguous to an existing television district; and providing the procedure for such annexation."	82, 133, 166, 180, 182, 186, 348, 376, SA-382, 394, 406, 410, 465.
127	Introduced by Haines, Northey, Deschamps, Hanks, Rosell, Healy, Good, Lombardi, Tracy, Twedt, Slaby: A bill for an act entitled: "An act appropriating moneys to the six units of the University of Montana for library acquisitions."	82, 90.
128	Introduced by Seymour. Pierce: A bill for an act entitled: "An act to amend section 4-108 of the Revised Codes of Montana, 1947, as last amended by section 2 of Chapter 235, Laws of 1957, relating to salaries of State Liquor Administrator and other employees and the duties of Assistant Administrator."	82, 137, 268.
129	Introduced by Harper. Wayrynen, Nash, Tooke, Falkenstern, Schye, Bashor: A bill for an act entitled: "An act to require railroads to provide certain facilities on all motor vehicles hereafter purchased for use in the transportation of maintenance of way employees; providing for settlement of disputes arising under this act by the board of railroad commissioners; and providing an effective date."	84, 184, 235.
130	Introduced by Pierce, Flynn, Northey: A bill for an act entitled: "An act to prohibit retail sale of certain merchandise on Sunday, to prohibit requiring or permitting employees to sell certain retail merchandise on Sunday, and providing exceptions and definitions and penalties for violations."	84, 93, 94, 439, 630.
131	Introduced by Deschamps, Gill, Northey, Haines, Good, Nelson: A bill for an act entitled: "An act to amend section 53-101, R.C.M. 1947, as amended by chapter 208 of the Session Laws of the Thirty-	

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	Fifth Legislative Assembly, 1957, relating to duties and records of the registrar of motor vehicles by providing a more extensive record in the case of dealers; to amend section 53-102, R.C.M. 1947, as amended by chapter 122 of the Session Laws of the Thirty-Seventh Legislative Assembly, 1961, relating to penalty for violation and enforcement of provisions by deleting section 53-118 from the penalty provision thereof; to amend section 53-118, R.C.M. 1947, as amended by chapter 245 of the Session Laws of the Thirty-Fourth Legislative Assembly, 1955, relating to applications for dealer's licenses by providing for qualifications of dealers for licensing and providing a penalty for violation of the section; to amend section 53-133, R.C.M. 1947, relating to definitions with regard to motor vehicle registration by changing the definitions of dealer to conform with section 53-118; repealing section 53-138, R.C.M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith."	84, S-268, 314, 324, 334, 338, 353, 597, 629.
Sub. 131	A bill for an act entitled: "An act to amend section 53-101, R.C.M. 1947, as amended by chapter 208 of the Session Laws of the Thirty-Fifth Legislative Assembly, 1957, relating to duties and records of the Registrar of Motor Vehicles by providing a more extensive record in the case of dealers; to amend section 53-102, R.C.M. 1947, as amended by chapter 122 of the Session Laws of the Thirty-Seventh Legislative Assembly, 1961; relating to penalty for violation and enforcement of provisions by deleting section 53-118 from the penalty provision thereof; to amend section 53-118, R.C.M. 1947, as amended by chapter 245 of the Session Laws of the Thirty-Fourth Legislative Assembly, 1955, relating to applications for dealers licenses and providing a penalty for violation of the section; to amend section 53-133, R.C.M. 1947, relating to definitions with regard to motor vehicle registration by changing the definition of dealer to conform with section 53-118; repealing section 53-138, R.C.M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith."	268, 314, 324, 334, 338, 353, 597, 629.
132	Introduced by Bailey, Bardanouve, Boughton, Eskildsen, Haughey, Pierce, Osburnsen: A bill for an act entitled: "An act to define liability of landowner to other persons who may trespass on his property for the purpose of hunting, fishing or trapping, with or without permission."	85, 217, 326.
133	Introduced by Keller, Weeks, Seymour, Smiley, Thompson, Selstad: A bill for an act entitled: "An act to amend sections 94-301 and 94-303, R.C.M. 1947, to provide that wilful non-support or	

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	neglect of a child or ward under sixteen years of age is a felony and prescribing penalties."	85, 217, 264, 294, 303, 305, 312, 609, 654, 686.
134	Introduced by Wayrynen, Hazelbaker, Garrison, Brenner: A bill for an act entitled: "An act to amend section 50-704, R.C.M. 1947, relating to the contents of affidavit of performance of annual work on lode or placer claims by the owner, and recording thereof, within twenty days after the annual work; defining annual assessment work."	86, 94, 109, 118, 123, 265.
135	Introduced by Pierce, Asbjornson: A bill for an act entitled: "An act to amend sections 53-114 and 84-406, R.C.M. 1947, to provide that all motor vehicles shall be assessed for taxation purposes on the first day of January of each year."	86, 341, 406, 414, 419, 432, 610, 617, 673, 686, 688, 691, 712.
136	Introduced by Bradford, Lucas, Turnage: A bill for an act entitled: "An act to amend section 94-301, R.C.M. 1947, by specifying that abandonment or failure to support a wife or child is a felony."	91, 92, 217, 264.
137	Introduced by Haines, Spahr: A bill for an act entitled: "An act providing for the making of loans and investments by building and loan associations and savings and loan associations organized and operating under the laws of the State of Montana, and providing that such associations may make all loans and investments which may be made by federal savings and loan associations having domicile in the State of Montana."	91, 184, 197, 256, 274, 279, 288, 304, 311, 549, 583, SA-587, 614, 615, 654.
138	Introduced by Judge, Wright, Bardanouve, Eskildsen: A bill for an act entitled: "An act creating a state department of commerce and economic development to promote tourism and industrial development; abolishing the State Planning Board and the Advertising Department of the State Highway Commission; amending sections 84-1812, and 84-1816, R.C.M. 1947; and repealing sections 89-301, 89-302, 89-303, 89-304, 89-305, 89-306, 89-307, 89-308, 89-309, R.C.M. 1947."	91, 306.
139	Introduced by Murray: A bill for an act entitled: "An act increasing the compensation of members and employees of the Montana Liquor Control Board; amending section 4-105, R.C.M. 1947, relating to the per diem compensation to be paid to members of the said board; and amending section 4-108, R.C.M. 1947, relating to the maximum an-	

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	nual salaries to be paid to employees of said board."	95, S-268, 310, 410, 412, 418, 422, 446, 448, 548, 595, 596, 630, 655.
Sub. 139	A bill for an act entitled: "An act increasing the compensation of members and employees of the Montana Liquor Control Board; amending section 4-105, R.C.M. 1947, relating to the per diem compensation to be paid to members of said board; and amending section 4-108, R.C.M. 1947, relating to the maximum annual salaries to be paid to employees of said board."	268, 310, 410, 412, 418, 422, 446, 448, 595, 596, 630, 655.
140	Introduced by Murray, Seymour: A bill for an act entitled: "An act to amend section 4-114, R.C.M. 1947, relating to the establishment and classification of State Liquor Stores; providing for the classification of each store in cities or towns having two or more stores on the basis of average volume of business done by all such stores."	95, 318.
141	Introduced by Weeks, Smiley, Aasheim, Swanz; A bill for an act entitled: "An act amending section 84-4198, R.C.M. 1947, to provide that lessee of tax deed land held by a county shall be given preference on the sale of such land if he bids an amount equal to the high bid for such land."	95, 183, 217, 236, 256, 274, 277, 281, 420, 453, 463, SA-466, 493, 502, 511, 534.
142	Introduced by Dykstra, Judge, Pierce, Eskildsen, Jensen: A bill for an act entitled: "An act to amend section 59-538, R.C.M. 1947, which relates to the payments for subsistence or per diem paid to persons in the state service for time engaged in travel; to provide that there shall be paid to persons in the state service for the time engaged in travel within the state while on official business twelve dollars (\$12.00) per day, and for time engaged in travel outside the state sixteen dollars (\$16.00) per day."	95, 227, 256, 274, 277, 281, 519, 541, 584, 607.
143	Introduced by Jensen, Blewett, Haines, Turnage, Wayrynen, Murray, Pierce, Bardanouve: A bill for an act entitled: "An act to amend section 53-103, of the Revised Codes of Montana, 1947; to amend section 53-104, of the Revised Codes of Montana, 1947; to amend section 53-106, of the Revised Codes of Montana, 1947, to amend section 53-106.1 of the Revised Codes of Montana, 1947; to amend section 53-108 of the Revised Codes of Montana, 1947; to amend section 53-115 of the Revised Codes of Montana, 1947; to amend Chap-	

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	ter 1, Title 53, Revised Codes of Montana, 1947, by adding new sections 53-115.1, 53-115.2, 53-115.3, 53-115.4, 53-115.5, and 53-115.6; to amend section 53-116, Revised Codes of Montana, 1947; to amend section 53-119, Revised Codes of Montana, 1947; and to amend section 53-122, Revised Codes of Montana, 1947; relating to motor vehicles and their registration and licensing by providing for and establishing a twelve-month registration and licensing period on certain vehicles; providing for an affidavit stating that the vehicle had not been operated on the highways of the State of Montana during the immediate previous registration period; defining 'vehicle', 'motor vehicle', 'new motor vehicle' and 'used motor vehicle'; providing for eight classifications of number plates to be renewed every twelve months bearing distinctive numbers and/or letters identifying each registration period; providing that no renewal of collector's items shall be required; providing for the expiration date of vehicle registrations; providing for the effective date of the renewal of the registration; providing when vehicles can be operated without displaying the registration certificate; providing for the time for registering and application for registering certain of those motor vehicles which by section 53-615 must pay an additional fee; providing for the designation of the registration period on the license plate; providing for the expiration of the registration and licensing period; providing for subsequent registration and licensing periods; designating the vehicles subject to this act; providing for initial registration and licensing periods; providing for registration and licensing dates for vehicles owned and not owned on effective date of this act; providing for the pro-rating of certain taxes and fees on vehicles registered and licensed for less than twelve months; stating the intent of the act; providing the method of computing the prorated taxes and fees; providing for the assignment of an appropriate number plate by the Treasurer and the shipment of the number plates; providing for the display of the number plate bearing the monthly series assigned; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date."	95, 305, 338, 359, 376, 377, 390, 394, 400, 549.
144	Introduced by Jensen, Blewett, Haines, Turnage, Wayrynen, Murray, Pierce, Bardanouve, Judge: A bill for an act entitled: "An act to amend section 53-114, of the Revised Codes of Montana, 1947, to amend section 53-117 of the Revised Codes of Montana, 1947, to amend section 53-617 of the Revised Codes of Montana, 1947, to amend section 53-618 of the Revised Codes of Montana, 1947; to amend section 53-621 of the Revised Codes of Montana, 1947; to amend Title 53, Chapter 6, of the Revised Codes of Montana, 1947, by adding	

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	thereto a new section 53-621.1; to amend section 53-622 of the Revised Codes of Montana, 1947, and to amend section 84-406, Revised Codes of Montana, 1947; relating to taxes and fees on motor vehicles by providing the time when and the means by which the value of the vehicle is determined and by providing for the payment of the taxes assessed and the levy upon which the tax is computed; providing the date upon which motor vehicles are assessed for tax purposes; providing for a change in the method of taxing the stock of motor vehicle dealers and providing when and by whom the tax shall be imposed and collected with regard to such vehicles; providing for the information to be placed upon the application for registration or reregistration by the County Treasurer; by providing for the distribution of the motor vehicle suspense fund between February 1 and February 10 of each year; by providing that a sales tax be imposed on sales of all new motor vehicles in lieu of certain other taxes and fees and the basis upon which the tax is figured; providing for the payment of the sales tax on certain vehicles on a pro-rated basis; providing for the method of compiling such pro-rated sales tax; dispensing with certain fees for one-half of a year; providing for an increase in the amount of the sales tax to be retained by the County Treasurer; providing for the expiration date and transfer of registration and license plates on certain vehicles; providing for the date on which a motor vehicle is assessed and deleting new motor vehicles held for sale in the stock of a motor vehicle dealer from the provisions of section 84-406; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date."	96, 308, 338, 376, 377, 386, 549, 550, 610.
145	Introduced by Schye, Broeder: A bill for an act entitled: "An act to amend section 66-115, R.C.M. 1947, relating to the duties of an architect, and the time schedule for payments of an architect, in regard to a public building; and to provide that this act shall be in full force and effect from and after its passage and approval."	97, 361, 394, 411.
146	Introduced by Nichols, Crum, Hanks: A bill for an act entitled: "An act providing for the licensing and regulation of the practice of massage; establishing a board of massage therapists which shall perform specified duties and have designated powers; providing for receipt and disposition of monies, examinations, licenses, revocations and suspension of license and reciprocity with other states; declaring unlicensed practice of massage to be a public nuisance; providing penalties for violations; providing invalidity of a portion of this act shall not affect the remainder; and re-	

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	pealing all acts and parts of acts in conflict here with."	97, 237.
147	Introduced by Hawks, Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume 6 of the Revised Codes of Montana of 1947; and providing an effective date."	100, 115, 127, 150, 166, 169, 228, 248, 275, 292.
148	Introduced by Hawks, Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume 7 of the Revised Codes of Montana of 1947; and providing an effective date."	101, 115, 127, 150, 166, 170, 228, 248, 275, 292.
149	Introduced by Hawks, Nichols: A bil for an act entitled: "An act to appropriate money, for the purchase of cumulative pocket supplements of 1963, for the Revised Codes of Montana, 1947; and providing for an effective date."	101, 115, 127, 150, 166, 170, 228, 248, 275, 292.
150	Introduced by Lucas: A bill for an act entitled: "An act amending section 91-2202, R.C.M. 1947, to provide for reasonable compensation for estate appraisers, to be allowed by the court or judge."	101, 115, 127, 150, 172, 175, 180, 187, 188, 193, 457, 493, 502, 548, 574.
151	Introduced by Judiciary Committee: A bill for an act entitled: "An act to repeal obsolete statutes pertaining to the employment and compensation of the superintendent of banks, superintendent of banks' examiners and clerks, railroad commissioners, employees of the board of railroad commissioners, state engineer, assistant secretary of Carey land act board, the state fire marshal, assistant state fire marshal, first assistant state examiner, deputy state examiners and clerk for the state examiner, marshal of the supreme court, assistant attorneys general, attorney general's law clerk and stenographers: repealing sections 5-605, 72-106, 72-108, 72-109, 72-110, 81-2011, 81-2014, 82-405, 82-407, 82-408, 82-1012, 82-1205, 82-1206, and 82-1803, Revised Codes of Montana, 1947; providing an effective date."	101, 115, 141, 172, 176, 179, 549, 577, 578, 595, 606.
152	Introduced by Pierce, Murray: A bill for an act entitled: "An act to amend section 92-208, R.C.M. 1947, and section 92-209, R.C.M. 1947, by eliminating the right of election by employees to be bound by the provisions of the workmen's compensation	

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	act except in the case of officers of private corporations."	101, 217, 297, 315, 337, 358, 360, 368, 497, 523, 548, 574.
153	Introduced by Weeks, Tooke, Baldwin: A bill for an act entitled: "A bill amending section 46-909, R.C.M. 1947, relating to factors considered in determining applications for livestock market certificates; and providing for an effective date."	101, 191.
154	Introduced by Weeks, Schye: A bill for an act entitled: "An act to amend section 16-2201 of the Revised Codes of Montana, 1947, which provides that boards of county commissioners may at their discretion make an increased levy of not more than ten mills for the purpose of constructing roads and bridges; to provide that commissioners in their discretion may make an increased levy of twelve mills for constructing roads and bridges."	101, 181.
155	Introduced by Goan, Bradford: A bill for an act entitled: "An act to amend section 84-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause."	101, 183, 262.
156	Introduced by Goan, Healy, Laas, Hawks: A bill for an act entitled: "An act to amend sections 82-3101, 82-3105 and 82-3106, Revised Codes of Montana, 1947, to provide for the administration of surplus property by the Montana state controller."	101, 374, 406, 414, 419, 431, 655.
157	Introduced by Weeks, Schye: A bill for an act entitled: "An act to amend section 16-912 which sets the salary, per diem and mileage payments for county commissioners; to provide for increases in the salary, per diem and mileage payments for county commissioners in the official performance of their duties."	101, 191, 200, 224, 247, 254, 259, 457.
158	Introduced by Hawks: A bill for an act entitled: "An act providing for the allowance of an increase in ANB for budget purposes, where the anticipated increase of the school district amounts to twenty per cent or more over the preceding year."	102, S-378, 406, 414, 419, 433, 656, 690, 691, 697, 706.
Sub. 158	A bill for an act entitled: "An act providing for the allowance of an increase in average number belonging for budget purposes where a school district or county high school anticipates an unusual increase in enrollment in the ensuing year;	

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	and providing the procedure for determining the average number belonging."	378, 406, 414, 419, 433, 656, 690, 691, 697, 706.
159	Introduced by Pierce, O'Hair, Bailey: A bill for an act entitled: "An act creating and establishing a Montana state game wardens' retirement system; defining the terms 'accumulated deductions', 'beneficiary', 'retired state game warden', 'board', 'contributor', 'final salary', 'actuarial equivalent', 'fund', 'involuntary retirement', 'member's annuity', 'optional retirement age', 'retirement age', 'retirement allowance', 'state annuity', 'state game warden'; creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game warden's retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the state of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance, involuntary retirement allowance, refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors, providing for restrictions on payments to beneficiaries; providing for the subrogation of the state of Montana to the rights of the members or dependents against certain third parties providing for payments under other laws; providing for optional retirement allowances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that as to constitutionality the provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith."	107, 253, 291, 303, 305, 519, 522, SA-529, 572, 578, 595, 606.
160	Introduced by Jensen, Turnage, Holtz, Haines, Watt, Spahr, Baldwin: A bill for an act entitled: "An act to provide for driver education; providing for the duties of the superintendent of public instruction and the supervisor of the Montana Highway Patrol; providing for the establishment of an automobile driver education fund consisting of ten per cent (10%) of collections of fees, fines	

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	and forfeitures on arrests by patrolmen and ten per cent (10%) of moneys from driver license fees; and providing for the disbursement of the moneys in such fund for administrative purposes and reimbursement to school districts and county high schools qualifying under this act."	107, 199, 224, 247.
161	Introduced by Haines, Northey, Murray: A bill for an act entitled: "An act to establish the policy of the state of Montana for regulation of physical alteration of streams, for submission of plans for projects affecting such streams to the Montana fish and game commission, for approval or modification or other disposition of plans, and for remedies for failure to comply with this act."	107, 133, 208, 344.
162	Introduced by Zimmer, Turnage, Gill: A bill for an act entitled: "An act to amend section 11-2008, Revised Codes of Montana, 1947, relating to fire districts, to change the requirements for the petitions necessary to create, dissolve, and change boundaries of fire districts."	107, 188, 191, 195, 218, 233, 234, 244, 381, 394, 406, 410, 465.
163	Introduced by Schye, Broeder: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating state building commission to approve the design and to supervise the inspection of construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the legislative assembly; providing that the construction and major repair of state buildings shall be authorized by the legislative assembly; providing that the adjutant general shall not spend state money for state buildings without the approval of the state building commission; amending section 26-103, R.C.M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R.C.M. 1947, relating to the erection of buildings at the state soldiers' home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R.C.M. 1947, relating to the erection of facilities at units of the University of Montana."	107, 343, 401, 412, 414, 417, 419, 421, 445, 446, 447, 556.
164	Introduced by Johnson, Davis, Lucas, Turnage, Wayrynen: A bill for an act entitled: "An act to amend section 25-401, R.C.M. 1947, and section 25-404, R.C.M. 1947, relating to jurors' fees and witnesses' fees."	108, 115, 132, 156, 166, 170, 457, 503, SA-507, 540, 541, 584, 607.

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165	Introduced by Northey, Deschamps, Wayrynen, Good, Haines, Healy, Keller, Weeks, Broeder, Blewett, Flynn, Hazelbaker, Lundgren: A bill for an act entitled: "An act known as the Montana Air pollution Control Act; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expenses; fixing the duties and powers of said commission; providing for a study of air pollution and adoption of rules and regulations for the prevention and control thereof; providing for enforcement thereof and prohibition of violations of the act or rules and regulations adopted thereunder; providing for hearings and notices by the commission; providing for appeals from determinations by the commission; providing for creation, organization, powers and duties of county air pollution control divisions; providing for investigation of violations of act and rules and regulations thereunder; making the state board of health responsible for investigations and providing for its powers; authorizing the state board of health to cooperate with the commission in conducting and supervising research programs and requiring certain persons to file reports with the board containing information relative to air pollution; providing for appeals to the district courts and trial de novo; providing for appeals to the supreme court; repealing laws or parts of laws in conflict therewith; and providing a severability clause."	108, 317, 390, 393, 403, 407, 413, 420, 445.
166	Introduced by Lucas, Dykstra, Wright, Beam, Hawks: A bill for an act entitled: "An act to provide medical assistance for the aged; providing a definition of such assistance, setting forth eligibility requirements, designating medical care and services available, setting forth the state and county share of participation, allowing free choice of licensed practitioners, prescribing liens and recoveries, and providing a repealing clause."	108, 225, 251, 274, 282, 292, 293, 294, 407, 421, 435, 567, 610, 617, 633, 669.
167	Introduced by Haughey, Haines, Goan, East, Spahr, Laas: A bill for an act entitled: "An act to amend sections 87-103, 87-104, 87-106, 87-109, and 87-149, R.C.M. 1947, which sections are a part of the unemployment compensation law; by providing for new bracketing in the determination of high quarter wages in the benefit schedule and increasing minimum qualifying wages; increasing the maximum weekly benefit amount; reducing duration by the number of weeks equal to the number of weeks of disqualification; increasing the disqualification for leaving work without good cause attributable to the employ-	

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	ment; providing that average annual employer tax rates shall increase to 2.0 per centum or to 2.7 per centum if trust fund balance remains below \$20,000,000 continuously for one year or for two years, respectively; amending the definition of gross misconduct; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing an effective date."	108, 307, 373, 389, 394, 400, 611, 616, 617, 633, 698, 714, 715.
168	introduced by Goan: A bill for an act entitled: "An act to require the fish and game commission to grant preference for antelope special licenses to residents who were unsuccessful in obtaining a special license during the previous hunting season; and containing an effective date."	108, S-215, 224, 247, 260, 266, 273, 349, 616.
Sub. 168	A bill for an act entitled: "An act to require the fish and game commission to grant preference to applicants for a special antelope license who did not receive an antelope license during the preceding year; and providing penalty for false application."	215, 224, 247, 260, 266, 273, 349, 616.
169	Introduced by Judge, Leuthold, Hanks, Jensen, Smiley, Thompson: A bill for an act entitled: "An act to encourage and promote industrial and economic development in Montana by creating a utilization research laboratory and appropriating funds to continue and promote experiments for the utilization and development of suitable and potentially useful materials indigenous or adaptable to growth in this state."	109, 314, 378.
170	Introduced by Egan, Aasheim: A bill for an act entitled: "An act to amend section 75-1603, R.C.M. 1947, to change the date of the annual election of school trustees from the first Saturday in April to the first Saturday in March."	109, 225.
171	Introduced by East, Bradford, Falkenstern, Beck: A bill for an act entitled: "An act to amend sections 84-1831 and 84-1832, R.C.M. 1947, relating to the tax on special fuels; providing that the various counties, incorporated cities and towns and school districts of this state shall be exempt from the levy and imposition of said tax; providing for an effective date."	109, 176, 202, 212, 216, 222, 349, 373, 380, 495, 518.
172	Introduced by Spahr, Lund: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to prior service and earnable compensation of the teachers' retirement system, and providing that prior service	

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	credit be allowed for military service for the period July 1, 1950, to December 31, 1953, and providing that full compensation received after July 1, 1961, may be used in computing benefits, and repealing all acts and parts of acts in conflict herewith."	111, S-345, 386, 391, 439, 445, 446, 447, 609, 646, 647, 654, 687.
Sub. 172	A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to earnable compensation of the Teachers' Retirement System, and providing that full compensation received after July 1, 1961, may be used in computing benefits, and repealing all acts and parts of acts in conflict herewith."	345, 386, 391, 439, 445, 446, 447, 609, 646, 647, 654, 687.
173	Introduced by Etchart, Hazelbaker, Eskildsen, Bailey: A bill for an act entitled: "An act to amend section 82-1131, R.C.M. 1947, relating to bidding requirements for construction, alteration and improvement of buildings and grounds on behalf of the state of Montana; raising the minimum per job figure from one thousand dollars (\$1,000.00) to five thousand dollars (\$5,000.00); providing an effective date."	111, 361.
174	Introduced by Mathers, Lucas, Bashor: A bill for an act entitled: "An act to amend section 75-1630, R.C.M. 1947, relating to school attendance in districts other than that of residence and providing for disapproval if there is not sufficient room."	112, 190, 212, 223, 233, 234, 245, 591, 620, SA-624, 666, 667, 686, 713.
175	Introduced by Lucas, Etchart, Wayrynen, Asbjornson: A bill for an act entitled: "An act to amend section 1-603, Revised Codes of Montana, 1947, as amended by Chapter 16 of the Session Laws of the Thirty-first Legislative Assembly, 1949, relating to the operation of aircraft in a careless or reckless manner, by providing that the prohibition against operation of an aircraft in such manner as to endanger the life or property of others applies specifically to the pilot of such aircraft."	112, 217, 252, 282, 294, 295, 301, 458, 493, 502, 548, 574.
176	Introduced by Lucas, Etchart, Wayrynen, Asbjornson: A bill for an act entitled: "An act releasing owners and operators of aircraft from responsibility for damages or injuries to gratuitous passengers; providing such passenger assumes the ordinary negligence of such owner or operator; and providing the ordinary negligence of such owner or operator is imputed to such passenger;	

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	excepting owners or operators of aircraft whose gross negligence or reckless operation was the proximate cause; and also excepting owners or operators of such aircraft for hire or which are being demonstrated."	112, 201, 224, 246, 248, 257, 534.
177	Introduced by Keller, Crum, Healy, Lombardi: A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to requirements for practicing or teaching cosmetology to provide that applicants for examination to practice or teach cosmetology be high school graduates or holder of a high school equivalency certificate."	112, 252.
178	Introduced by Keller, Crum, Healy, Lombardi: A bill for an act entitled: "An act to amend Section 66-803, R.C.M. 1947, to provide that no professional beauty shop and school of cosmetology shall have a connecting entrance."	112, 252.
179	Introduced by Keller, Crum, Healy, Lombardi: A bill for an act entitled: "An act to amend section 66-815, Revised Codes of Montana, 1947, relating to license and examination fees to practice or teach cosmetology by providing for a license fee for inactive practioners, and an annual renewal fee for cosmetological establishments."	112, 267, 294, 303, 305, 313, 550, 577, 578, 595, 606.
180	Introduced by Keller, Beck, Bardanouve: A bill for an act entitled: "An act providing group life, accidental death and dismemberment insurance and group general or blanket hospital, surgical and medical coverage for certain persons in the service of the state of Montana and their dependents; defining terms used herein; establishing a state employees' group insurance commission to administer this act, to negotiate contracts for coverage, and to receive and remit monies; requiring the payments for benefits for state employees to be made one-half by the state and one-half by the covered employees requiring the payments for benefits for dependents and retired employees to be made by individuals by deductions from salaries and retirement allowances and without participation by the state; providing coverage shall be voluntary; requiring persons covered by this act to pay an annual administrative fee to be used for the support of the commission; providing if any provisions hereof are held invalid the remainder of this act shall not be affected thereby; providing for the repeal of all acts or parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval."	112, 285, 288, 379.
181	Introduced by Watt, Northey, Flynn, Haines, Beck, Nelson, Deschamps: A bill for an act entitled:	

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	"An act to provide for a special school district fund for maintenance and repair of school buildings, and for maintenance, repair and replacement of major equipment."	113, 235.
182	Introduced by Watt, Flynn, Deschamps, Northey, Haines, Beck: A bill for an act entitled: "An act to amend sections 75-4138 and 75-4139, R.C.M. 1947, relating to the establishment of high schools to provide that a county high school may establish a branch of the county high school."	113, 268, 304, 315, 321, 550, 595, 596, 630, 655.
183	Introduced by Spahr, Keller: A bil for an act entitled: "An act amending section 71-307, R.C.M. 1947, to require the county department of public welfare to provide coverage under the workmen's compensation act for applicants for general relief working for the county; and providing a penalty when an applicant for general relief refuses to perform work assigned to him."	113, 214, 217, 234, 260, 275, 279, 568, 620, SA-623, 646, 647, 654, 686.
184	Introduced by Spahr, Keller: A bill for an act entitled: "An act amending section 92-411, R.C.M. 1947, to define 'employee' as an applicant for general relief who is performing work for a county of this state."	113, 176, 194, 203, 209, 210, 568, 602, 603, 605, 630, 655.
185	Introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend chapter 24, Title 11, Revised Codes of Montana, 1947, by the addition of section 11-2414, providing regulations governing the terms and conditions of the refunding of municipal water and sewer revenue bonds."	113, 125, 166, 180, 182, 185, 366, 395, 406, 410, 465.
186	Introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend section 11-2218, Revised Codes of Montana, 1947, relating to the issuance and sale of negotiable revenue bonds for the construction, reconstruction, and improvement of municipal water and sewer systems and additions thereto, and the refunding of such bonds, to provide regulations governing the terms and conditions of such refunding."	113, 125, 168, 182, 185, 366, 395, 406, 410, 465.
187	Introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend Chapter 37, Title 11, Revised Codes of Montana, 1947, by amending section 11-3703, 11-3706, 11-3707, 11-3711, 11-3712, 11-3718, 11-3721, 11-3722, and 11-	

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	3723, and by the addition of section 11-3726 and 11-3727, relating to the provision of off-street parking facilities by cities; the establishment of parking commissions and the definition of their powers and duties; the operation and leasing of such facilities and the establishment of rates, fees and charges therefor; the issuance of revenue bonds and the pledge of revenues of such facilities for their payment; the form, negotiability, registration, and covenants and provisions for the security of such bonds; the establishment of a reserve fund from on-street parking meter revenues for the further security of such bonds; and the issuance of refunding revenue bonds."	113, 125, 156, 172, 173, 226, 247, 248.
188	Introduced by Wayrynen, Eskildsen: A bill for an act entitled: "An act to provide funds for a program of medical assistance for the aged by amending section 84-5608, Revised Codes of Montana, 1947, relating to a discount on purchase of cigarette tax insignia, by discontinuing said discount and earmarking a percentage of cigarette tax moneys for the support of a program of medical assistance for the aged."	113, 378.
189	Introduced by Smith, Hawks, Brenner, Eskildsen: A bill for an act entitled: "An act to authorize the creation and operation of cattle protective districts embracing all or portions of two or more counties, providing for the appointment of district cattle protective committees, providing for the powers, duties and financing of such cattle protective districts."	117, 189, 209, 223, 224, 231, 497, 505, 568, 620, SA-623, 646, 647, 654, 686.
190	Introduced by Keller, Seymour, Holtz, Selstad, Northey: A bill for an act entitled: "An act to amend section 23-1611, R.C.M. 1947, relating to voting machines; providing that the period of time during which a voting machine must remain sealed and locked after an election shall be reduced from thirty (30) days to ten (10) days when a machine is used in any municipal primary nominating election; providing for an effective date."	117, 189, 212, 223, 224, 232, 413, 441, 442, 450, 465.
191	Introduced by Garrison, Hazelbaker, Smith, Lucas, Boughton, Deschamps, Nelson, O'Hair, Harper, Eskildsen: A bill for an act entitled: "An act to amend section 26-104, R.C.M. 1947, relating to the powers and duties of the state fish and game commission and providing that before the commission may acquire by purchase, lease or agreement any lands in excess of ten (10) acres they must secure the consent thereto from the	

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	board of county commissioners of the county in which such lands are situated."	117, 191, 236, 272, 294, 295, 301, 375.
192	Introduced by Keller, Schye, Seymour, Holtz, Selstad, Smiley, Thompson: A bill for an act entitled: "An act to amend section 79-205, R.C.M. 1947, relating to the apportionment of forest reserve fund."	117, 184, 217, 236.
193	Introduced by Watt, Wright: A bill for an act entitled: "An act to amend sections 75-1706 and 75-1723, R.C.M. 1947, by setting forth procedure for non-operating school district budget."	117, 191, 209, 223, 224, 229, 609, 629, 630, 654, 687.
194	Introduced by Highways Committee: A bill for an act entitled: "An act relating to distribution of state highway construction funds; amending subsection (5) of section 84-1817, R.C.M. 1947, as amended in 1959, to give the state highway commission discretion in the apportionment of moneys for the orderly programming and construction of federal aid interstate highway system projects; providing an effective date."	117, 269, 315, 324, 334, 338, 366, 368, 519.
195	Introduced by Highways Committee: A bill for an act entitled: "An act relating to the regulation of traffic on highways; amending section 32-2174, R.C.M. 1947, so that the section will refer to vehicles approaching a 'yield' intersection, instead of a 'yield right of way' intersection; providing an effective date."	117, 218, 224, 246, 248, 257, 458, 493, 502, 548, 574.
196	Introduced by Highways Committee: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending section 93-9911, R.C.M. 1947, relating to the power of the court and preliminary condemnation order, to strike out matter which refers to assessment of compensation; amending section 93-9912, R.C.M. 1947, to provide for the use of the district court or judge for making the preliminary assessment of compensation, instead of using value commissioners, and to provide generally for the ascertainment and assessment of compensation, including land taken for underground natural gas storage reservoir; amending section 93-9915, R.C.M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending section 93-9920, R.C.M. 1947, to provide the procedure for putting the plaintiff in possession; repealing section 93-9914,	

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	R.C.M. 1947; providing a severability clause; providing an effective date."	117, S-378, 406, 421, 442, 444.
Sub. 196	A bill for an act entitled: "An act relating to eminent domain proceedings; amending Section 93-9912, R.C.M. 1947, to provide for a waiver of a determination of compensation by condemnation commissioners; to provide generally for the ascertainment and assessment of compensation; providing a severability clause; and providing an effective date."	378, 406, 421, 442, 444.
197	Introduced by Leuthold, Zimmer, Aasheim, Tooke, Bailey, Nutting: A bill for an act entitled: "An act to provide that the board of county commissioners shall create and establish a fund to be known as the 'classification and appraisal maintenance fund' and that the board may levy annually a tax not to exceed one mill upon all property in the county for maintaining current the classification and appraisal of taxable lands required by section 84-429.7 F.C.M. 1947."	121, 191, 344, 395, 409, 415, 427, 610.
198	Introduced by Lucas: A bill for an act entitled: "An act to abolish the lien for those installments of special improvement district assessments on all lands heretofore sold by counties, which accrued after the counties acquired title to such lands, and before the counties sold such lands; and providing for an effective date."	121, 191, 217, 346, 386, 393, 401, 408.
199	Introduced by Mathers, Haines: A bill for an act entitled: "An act to provide that possession of recently stolen property, without satisfactory explanation, shall be deemed prima facie evidence of guilt of larceny."	121, 188.
200	Introduced by Lucas, Keller: A bill for an act entitled: "An act to amend sections 15-108, 15-201, 15-204, 15-302 and 15-401, Revised Codes of Montana, 1947, to provide that the number of directors of private corporations created under Chapter 1 of Title 15 of the Revised Codes of Montana 1947, may be fixed by by-laws; providing for amendments to the articles of incorporation and by-laws so as to provide that the number of directors may be fixed by the by-laws; providing for the filling of vacancies in the office of director created by an increase in the number of directors; repealing all acts and parts of acts in conflict with this act; and providing for an effective date for this act."	121, 182, 206, 212, 215, 568, 614, 615, 669, 687.
201	Introduced by Harper, Shelden, Schepens, Twedt, Cummings, O'Hair, Brenner: A bill for an act entitled: "An act giving all teachers a minimum	

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	of five (5) days per year sick leave and permitting the sick leave to be accumulated to a maximum of thirty (30) days if in continuous employment by a school district."	121, 276.
202	Introduced by Mathers, Twedt: A bill for an act entitled: "An act to provide for the testing of liquefied petroleum gas measuring devices by the State Sealer of Weights and Measures; to provide that only those vapor meters that are approved by the State Sealer of Weights and Measures shall be used; to provide that vapor measuring devices are not to be deemed included within the provisions of section 90-129, R.C.M. 1947; to provide that liquified petroleum gas sold or delivered in a liquid state shall be done so at a corrected temperature of 60 degrees fahrenheit; to provide for the labeling of all containers of liquified petroleum gas; to provide for the rule and regulation making power of the Department of Weights and Measures to administer this act; to provide a penalty not to exceed \$100 for a violation of this act; and providing a repealing clause."	121, 184, 208, 252, 270, 309.
203	Introduced by Judge, Turnage, Lucas, Haughey, Bradford, McNamer, Blewett: A bill for an act entitled: "An act authorizing and empowering the Supreme Court of the State of Montana to recommend changes in the criminal law of the State of Montana to the end of uniformity in definition of crimes, arrests, trials, sentencing, pardon and parole, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; creating a commission to prepare suggested changes in the criminal law of the State of Montana and prescribing the membership and powers and duties of said commission; providing for employment of a secretary-stenographer of the commission and employment of research agencies, if deemed necessary; providing for the payment of actual travel and other expenses incurred by members of said commission in the discharge of their duties; providing that such recommended changes in the criminal law of the State of Montana shall be submitted to the Thirty-Ninth Legislative Assembly of the State of Montana for its consideration; repealing all acts and parts of acts in conflict herewith and providing for an effective date of this act."	121, 176, 206, 212, 216, 217, 224, 229, 497, 523, 548, 574.
204	Introduced by Nash, Smiley: A bill for an act entitled: "An act to amend section 66-803, R.C.M. 1947, to alter and amend the qualification required for instructors and students in the field of cosmetology, and to provide for relief for emergencies due to a lack of qualified instructors."	122, 308, 338, 359, 373, 375, 497.

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205	Introduced by Spahr: A bill for an act entitled: "An act to amend section 31-155, R.C.M. 1947, relating to the penalty for driving while a driver's license is revoked."	122, 236.
206	Introduced by Hazelbaker, Garrison: A bill for an act entitled: "An act to require non-resident big game hunters to be guided by a licensed outfitter or resident big game hunter or landowner or lessee, and providing for special tags and validation thereof."	122, S-215, 234, 265, 275, 279, 386, 548.
Sub. 206	A bill for an act entitled: "An act to require non-resident big game hunters to be guided by a licensed outfitter or a resident guide or landowner or lessee; exceptions; providing for issuance of resident guiding permits; and providing for penalty for violation of act."	215, 234, 265, 275, 279, 386, 548.
207	Introduced by Rehberg, Mathers, Lucas: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to section 5, Article XVI of the Constitution of Montana deleting the provision forbidding a county treasurer to be eligible to his office for the succeeding term."	122, 346, 377, 390.
208	Introduced by Hazelbaker, Garrison: A bill for an act entitled: "An act relating to prospecting permits and mining leases, and amending sections 81-601, 81-604, 81-606, 81-607, 81-611, 81-615 and 81-619, R.C.M. 1947."	122, 184, 253.
209	Introduced by Hawks: A bill for an act entitled: "An act authorizing the board of county commissioners of any county to designate portions of county roads as emergency areas if required by public health, safety, or convenience; providing for public notice thereof; providing the emergency area be designated with adequate signs; authorizing the board of control classes of traffic therein; prohibiting any livestock from entering such emergency area; authorizing county to impound any livestock found in such emergency area; providing that livestock impounded shall be treated as estrays under the provisions of 46-1001 to 46-1004, Revised Codes of Montana, 1947; and providing an effective date for such act."	122, 190, 212, 223, 224, 232, 412, 490, 503, 510, 564, 584, 607.
210	Introduced by Seymour, Lewis, Swanz: A bill for an act entitled: "An act to establish a stable and uniform basis for interstate cooperation in driver licensing and the reporting of convictions to be known as the driver license compact; setting forth the basic purposes of the compact; defining certain terms used in act; requiring party	

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	state to report convictions to licensing authority of home state of licensee; providing party state may give same effect of conviction regardless of jurisdiction of occurrence; providing that license authority in party state shall not issue license to party whose license has been suspended, revoked or to party who fails to surrender license of another party state; providing that adoption of compact will not nullify existing statutes; providing for administrator of act; providing for entry and withdrawal from compact; providing for construction and severability of act; providing that if any part of act held unconstitutional it shall not effect remaining parts of act; defining 'licensing authority' and 'executive head'; providing authority to furnish information to member states; providing that administrator shall not be entitled to additional compensation; requiring agencies or court to report to state agency; repealing all acts or parts of acts in conflict herewith."	126, 218, 234, 260, 261, 265, 274, 277, 280, 548, 596, 630, 655.
211	Introduced by Dykstra, Broeder: A bill for an act entitled: "An act to amend section 79-1202, Revised Codes of Montana, 1947, as amended by Chapter 173, Laws of Montana, 1959, relating to investment of funds of the State of Montana, and altering the types of securities in which the long term investment fund may be invested; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	126, 189, 248, 266, 275, 279, 452, 464, 466, 495, 518.
212	Introduced by Regan, Murray: A bill for an act entitled: "An act to amend section 5-206, R.C.M. 1947, relating to the capital and surplus of state banks and the par value of the common capital stock of state banks."	126, 182, 188, 203, 204, 208, 288, 297, 298, 360, 402.
213	Introduced by Leuthold, Beam, Haughey, Goan: A bill for an act entitled: "An act amending section 16-4527 of the Revised Codes of Montana, 1947, pertaining to county water districts; providing that notice of intention to levy and collect taxes may be given by regular first class mail or registered mail and providing that in the said notice of intention the boundaries or description of the lands to be assessed may be recited in full or may be given by reference to instruments filed or recorded in the office of the clerk and recorder, treasurer or assessor of the county or counties in which the district or part thereof is situate; repealing all acts and parts of acts in conflict here-	

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	with; and providing a saving clause and an effective date."	126, 191, 295, 324, 337, 348, 354, 421, 464, 466, 495, 518.
214	Introduced by Judge: A bill for an act entitled: "An act creating a department of commerce and economic development to be governed by and consolidated with the State Planning Board; and providing for the duties of the department."	130, S-379, 406, 414, 419, 434, 591, 214, 615, 669.
Sub. 214	A bill for an act entitled: "An act to amend Sections 89-301, 89-302, and 89-307, R.C.M. 1947, by changing the name of the State Planning Board to the Board of Commerce and Economic Development; providing for additional duties of said board; and repealing all acts and parts of acts in conflict herewith."	379, 406, 414, 419, 434, 591, 614, 615, 669.
215	Introduced by Dykstra, Bradford: A bill for an act entitled: "An act to amend section 16-3606, R.C.M. 1947, relating to quarters and equipment for the office of a justice of the peace for criminal cases; containing a repealing clause and providing an effective date."	130, 209.
216	Introduced by Bradford, Dykstra: A bill for an act entitled: "An act to amend section 93-513, R.C.M. 1947, relating to when sheriff to provide court-rooms, etc.; containing a repealing clause and providing an effective date."	130, 209.
217	Introduced by Bradford, Dykstra: A bill for an act entitled: "An act to amend sections 25-301, 25-303 and 25-306, R.C.M. 1947, to provide for increases in fees of justices of the peace in civil actions; to provide for increases in fees of Justices of the peace in criminal actions; to provide for increases in salaries of justices of peace in certain townships; repealing all acts and parts of acts in conflict therewith."	130, 211, 317, 338, 350, 357, 367, 377, 384, 550, 583, 584, 603, 608, 639, 646, 647, 654, 687.
218	Introduced by Tracy, Haines, Lombardi: A bill for an act entitled: "An act appropriating money for psychological testing services in the public schools of the state in accordance with the provisions of Chapter 50 of Title 75 of the Revised Codes of Montana, 1947."	130, 267.
219	Introduced by Hibbard, Haughey, Spahr: A bill for an act entitled: "An act to require a deposit	

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	as evidence of good faith by bidders on state land leases."	131, 363, 406, 414, 422, 436, 591, 620, SA-625, 646, 647, 654, 687.
220	Introduced by Hibbard, Twedt: A bill for an act entitled: "An act to amend section 84-4942, Revised Codes of Montana, 1947, to require employers of agricultural, farm or ranch labor to withhold from wages due such employees income tax due to the State of Montana; and repealing all acts and parts of acts in conflict herewith."	131, 305.
221	Introduced by Smith, Woodard, Rosell, Eskildsen, Rehberg: A bill for an act entitled: "An act to amend section 94-35-204 of the Revised Codes of Montana, 1947, to include therein horse, mule, mare, colt, foal, filly and lamb."	131, 190, 209, 223, 224, 232, 550, 577, 578, 595, 606.
222	Introduced by Etchart, Pierce, Rosell, Eskildsen, Wright: A bill for an act entitled: "An act to amend section 16-1803 (1) which pertains to the powers of county commissioners to enter contracts for the county and places a limitation of two thousand dollars (\$2,000) on purchases or contracts made without calling for bids; to provide that the commissioners may contract for purchases up to the amount of five thousand dollars (\$5,000.00) without calling for bids."	131, 217, S-325, 406, 415, 616.
Sub. 222	A bill for an act entitled: "An act amending section 16-1803, R.C.M. 1947, to permit county commissioners to contract for purchases up to the amount of five thousand dollars (\$5,000.00) without calling for bids."	325, 406, 415, 616.
223	Introduced by McNamer, Murray: A bill for an act entitled: "An act to amend section 91-1702, R.C.M. 1947, to provide that no bond be required in certain cases, and providing an effective date."	131, 141, 166, 180, 182, 184, 497, 540, 541, 584, 607.
224	Introduced by Beam, Wayrynen: A bill for an act entitled: "An act to amend section 75-1620, Revised Codes of Montana, 1947, relating to the expenses of election; and containing a repealing clause; and fixing an effective date."	131, 258, 287, 305, 324, 325, 331, 458, 493, 502, 548, 574.
225	Introduced by Blewett, Murray, Bardanouve, Eskildsen: A bill for an act entitled: "An act pertaining to adjustment of hail insurance losses with the State Board of Hail Insurance; and amending section 82-1516, R.C.M. 1947, to allow applicant ten (10) days after receiving adjustment offer in	

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	writing to appeal; and giving applicant option to submit disagreement to arbitration or to bring suit against the State Board of Hail Insurance."	131, 191, 252, 283, 303, 305, 311, 452, 464, 466, 495, 518.
226	Introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-1632, R.C.M. 1947, by deleting from subsection 11 the authority and duty of the trustees to provide clothing and medical aid for indigent children when it shall be made to appear that such aid is needed."	131, 191, 209, 225, 224, 231, 490, 502, 511, 534.
227	Introduced by Keller, Blewett, Seymour, Baldwin, Hazelbaker, Murray, Pierce: A bill for an act entitled: "An act providing for payment of an honorarium for veterans of World War I from the proceeds of bonds to be retired with income from the cigarette tax; amending sections 3 and 17-A of initiative No. 54 and sections 84-5606 and 84-5621, R.C.M. 1947; and repealing sections 1, 2 and 12 of initiative No. 54."	131, 345, 406, 414, 419, 431, 608, 619, 633, 674, 676, 679, 683, 684, 693, 700.
228	Introduced by Lungren, Healy, Leuthold, Wayrynen, Wright, Good, Lombardi, Tracy, Watt: A bill for and act entitled: "An act amending section 75-402, R.C.M. 1947, to change the name of the Montana School of Mines to the Montana College of Mineral Science and Technology."	131, 360.
229	Introduced by Smiley, Lund, Davis, Watt: A bill for an act entitled: "An act to amend sections 75-4231 and 75-1632, R.C.M. 1947, relating to the powers and duties of boards of trustees of school districts; authorizing the boards of trustees of first and second class districts to designate the school site or sites to be voted upon; and regulating the distances between privies or outhouses." ..	133, 276.
230	Introduced by Smiley, Lund, Watt, Davis: A bill for an act entitled: "An act regulating school-house sites and construction; amending section 75-3101, R.C.M. 1947, to establish the amount of land required for schools in first and second class districts and authorizing the State Board of Land Commissioners to sell or lease any tract of state land needed for school purposes; amending section 75-3103, R.C.M. 1947, to increase the square feet of floor space required for each pupil in erection of school buildings, or additions to or remodeling thereof; and repealing section 75-3105, R.C.M. 1947."	133, 276.
231	Introduced by Lucas, Dykstra: A bill for an act entitled: "An act amending section 15-1001, R.C.M. 1947, to provide for corporate acts to be	

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	accomplished by resolution signed by all of the stockholders and/or directors without the formality of a regular meeting of stockholders or directors."	134, 182, 188, 203, 204, 208, 568, 602, 603, 605, 630, 655.
232	Introduced by Dykstra, Schye, Judge, Schepens, Crum: A bill for an act entitled: "An act exempting benefits received under the Federal Employees Retirement Act up to thirty-six hundred dollars (\$3,600.00) from Montana State income tax."	134, 235, 267, 291, 298, 304, 305, 310, 313, 421, 441, 442, 450, 465.
233	Introduced by Lucas, Tooke, Spilde: A bill for an act entitled: "An act providing that under Chapter 18 of Title 84, R.C.M. 1947, the date of mailing is deemed the date of filing of reports, notices, payments or claims for refunds; providing that the State Board of Equalization establish rules and regulations and authorizing the State Board of Equalization to examine records of gasoline dealers; amending section 84-1801, R.C.M. 1947, to simplify the definitions of gasoline and aviation gasoline; amending section 84-1802, R.C.M. 1947, deleting requirement for sworn statements; amending section 84-1807, R.C.M. 1947, to provide that the lien has effect of a judgment lien; amending section 84-1809, R.C.M. 1947, to require invoices of dealers contain information required by the board; amending section 84-1831, R.C.M. 1947, changing the definition of special fuels; amending section 84-1833, R.C.M. 1947, providing for a one thousand dollar (\$1,000) bond for a special fuel dealer and providing for a lien for unpaid taxes; amending section 84-1835, R.C.M. 1947, by changing filing date."	134, 261, 304, 315, 322, 421, 464, 466, 495, 518.
234	Introduced by Beck: A bill for an act entitled: "An act to provide for the reciprocal and expeditious disposition of detainers filed against inmates of prisons or other correctional institutions of party states; to provide for the speedy trial of persons confined in a penal or other correctional institution of a party state on charges and detainers based on untried indictments, informations or complaints and to provide for the final disposition of such charges and detainers; to provide that temporary custody of such prisoners may be made available to appropriate officers of party states for trial; to provide that escape from such temporary custody shall be punishable by confinement in the state prison for a term of not less than one year nor more than ten years; to provide for the appointment of a coordinator of this agree-	

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	ment; providing for an effective date and a repealing clause."	134, 316, 406, 414, 419, 430, 609, 668, 669, 672, 712.
235	Introduced by Rehberg, Lucas: A bill for an act entitled: "An act requiring a corporation to obtain a tax clearance certificate from the State Board of Equalization before dissolution is allowed and providing that this act shall be codified as section 15-1119, R.C.M. 1947."	134, 182, 188, 203, 211, 254, 274, 283, 290, 413, 441, 442, 450, 465.
236	Introduced by Rehberg, Lucas: A bill for an act entitled: "An act to amend section 84-1511, R.C.M. 1947, providing that a dissolving corporation pay the corporation license tax determined on the basis of its net income for the final period in which it did business and deleting the amount of three per cent (3%)."	134, 182, 194, 203, 204, 205, 253, 274, 292, 293, 413, 441, 442, 450, 465.
237	Introduced by Rehberg, Lucas: A bill for an act entitled: "An act relating to the corporation license; providing for the determination of corporation license tax liability on deficiencies and overpayments; providing for periods of limitation—waiver; amending section 84-1504, R.C.M. 1947, to provide for an automatic extension; amending section 84-1505, R.C.M. 1947, to provide for computation of tax and return by the taxpayer by the fifteenth day of the fifth month following the close of the taxable period; providing for a ten per cent (10%) penalty or six per cent (6%) per annum interest rate; amending section 84-1508, R.C.M. 1947, to delete the procedure for handling tax understatements."	134, 253, 294, 305, 314, 609, 646, 647, 654, 687.
238	Introduced by Rehberg, Lucas: A bill for an act entitled: "An act providing for the destruction of tax records."	135, 189, 218, 233, 234, 244, 609, 629, 630, 654, 687.
239	Introduced by Schye, Swanz: A bill for an act entitled: "An act to amend section 32-2001, of the Revised Codes of Montana, 1947, by extending the policy of the state to include controlling of access to thoroughways and intersections with thoroughways; amending section 32-2002 of the Revised Codes of Montana, 1947, by providing definitions for the terms 'arterial highway', 'thoroughway', and 'thoroughway intersection area' and by including in the term 'controlled access highway', 'portions of thoroughways and roads, streets and high-	

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	ways within a throughway intersection area', amending section 32-2003 of the Revised Codes of Montana, 1947, by providing for control of access to throughways or roads, streets or highways within a throughway intersection area and by providing that no portion of a throughway or road, street or highway within a throughway intersection area shall be designated as a controlled access highway except upon petition of the governing body of cities, towns or counties and providing the petition to be irrevocable except upon concurrence of the State Highway Commission; amending section 32-2006 of the Revised Codes of Montana, 1947, by providing for the acquisition of property for controlled access highways or facilities; amending section 32-2007 of the Revised Codes of Montana, 1947, by providing for elimination of crossings with controlled access highways or facilities; amending section 32-2008 of the Revised Codes of Montana, 1947, relating to service roads by relating to controlled access highways as well as 'facilities'; amending section 32-2009 of the Revised Codes of Montana, 1947, relating to marking with signs by relating the same to controlled access highways as well as 'facilities'; amending section 32-2010 of the Revised Codes of Montana, 1947, relating to violations by prohibiting connections with a controlled access highway or facility except by permission of the State Highway Commission and the local governing body having jurisdiction over the highway or facility; repealing all acts and parts of acts in conflict herewith; providing that this act shall be in full force and effect from the date of its passage and approval."	135, 276, 305, 324, 330, 334, 550, 595, 596, 630, 655.
240	Introduced by Nutting, Turnage, Jensen: A bill for an act entitled: "An act to amend section 11-2404, R.C.M. 1947, to alter and reduce the method and amount of advertising required in the sale of bond issues amounting to less than one hundred fifty thousand dollars."	135, 195, 218, 233, 234, 243, 366, 390, SA-392, 399, 406, 410, 465.
241	Introduced by Judge: A bill for an act entitled: "An act creating the Montana Board of Shorthand Reporters, its purpose and defining 'certified shorthand reporter'; providing for appointment to the board and qualifications; providing for terms of office on the board, its officers and bond of treasurer; providing powers of the board, qualifications of applicants, examinations, examination fee, expenses of the board, disposition of fees, reciprocal privileges; providing for revocation of licenses, penalty and certification; repealing all acts and parts of acts in conflict herewith."	135, 318.

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242	Introduced by Lewis: A bill for an act entitled: "An act to accept the retrocession by the United States of America of concurrent police jurisdiction over the rights-of-way of the Blackfeet highway and over the rights-of-way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation in the State of Montana; providing an effective date."	135, 200, 224, 247, 254, 260, 568, 602, 603, 605, 630, 655.
243	Introduced by Bardanouve, Turnage: A bill for an act entitled: "An act to provide that justice courts and district courts shall have concurrent original jurisdiction in proceedings concerning the unlawful operation of motor vehicles by children under the age of eighteen (18) years; and providing for penalties; and amending sections 32-21-163 and 32-21-164, R.C.M. 1947."	136, 304, 315, 321, 609, 629, 630, 654, 687.
244	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-5612 of the Revised Codes of Montana, 1947, to provide that all shipments of cigarettes into or out of the State of Montana shall be made by common carriers; providing for the reporting of such shipments; and repealing all acts and parts of acts in conflict therewith."	136, 200, 224, 247, 251, 457.
245	Introduced by Selstad: A bill for an act entitled: "An act providing that a person who unlawfully and unintentionally causes the death of another person while operating a vehicle is guilty of homicide."	136, 182.
246	Introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-4303, R.C.M. 1947, by striking a portion thereof, and to amend section 75-4304, R.C.M. 1947, by changing the amount of tuition; providing an effective date and repealing clause."	136, 199, 224, 247, 251, 259, 490, 502, 511, 534.
247	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 40-2821, R.C.M. 1947, by extending the period when the tax on net insurance premiums shall be two and one-quarter percent of such premiums from the calendar years 1961 and 1962 to the calendar years 1963 and 1964."	136, 235, 272, 294, 295, 301, 490, 502, 511, 534.
248	Introduced by Thompson, Haines, Flynn: A bill for an act entitled: "An act authorizing agencies, officers and departments of the State of Montana to enter into group insurance plans for their	

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	officers and employees, and providing a maximum contribution by the agency."	136, 285.
249	Introduced by Regan, Broeder: A bill for an act entitled: "An act to provide for the marking of motor vehicles operating on the highways of the State of Montana, providing a penalty and providing an effective date."	136, 184, 277, 295, 304, 305, 313, 550, 577, 578, 595, 606.
250	Introduced by Watt, Wayrynen, Rosell, Pierce: A bill for an act entitled: "An act to amend section 75-2707, R.C.M. 1947, and section 75-2709, R.C.M. 1947, relating to the minimum retirement benefits paid by the teachers retirement system under the present system and under the former retirement system; to provide for an increase in the minimum annual retirement allowance and to provide for the elimination of the expiration date of the present employers' contributions."	136, 183, 323, 406, 414, 419, 431, 609, 657, 672, 712.
251	Introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2011, R.C.M. 1947, relating to the Securities Act of Montana and the general provisions regarding registration of securities thereunder."	136, 197, 224, 247, 251, 258, 349, 373, 380, 495, 518.
252	Introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2015, R.C.M. 1947, relating to the Securities Act of Montana and the filing of a consent to service of process thereunder."	136, 197, 223, 233, 234, 243, 497, 523, 548, 574.
253	Introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2006, R.C.M. 1947, relating to the Securities Act of Montana and to the registration of broker-dealers, salesmen, and investment advisers thereunder."	137, 195.
254	Introduced by Northey, Deschamps, Hemstad: A bill for an act entitled: "An act to authorize and direct the State Auditor to deliver certain warrants to the Montana Territorial Centennial Commission."	137, 189, 218, 233, 234, 245, 254, 259, 548, 577, 578, 595, 606.
255	Introduced by Kvaalen, Dykstra, Aasheim, Smiley, Haines, Spahr: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement and improvement of housing and other	

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	revenue-producing facilities at units of the University of Montana, and the borrowing of funds therefor by the regents by the issuance and sale of negotiable bonds and other securities and the making of purchases on time, payable solely from net income from rents and board, receipts from charges, admissions or fees for the facilities, and gifts, contributions and grants of funds, without obligating the State of Montana or using state funds except as provided, and the provision of security for such borrowing, and the refunding of outstanding obligations; repealing sections 75-207, 75-208, 75-209, 75-210, 75-211, 75-212, 75-213, 75-214 and 75-215, R.C.M. 1947."	137, 345, 401, 412, 415, 429, 609, 620, SA-627, 666, 667, 686, 713.
256	Introduced by Holtz, Keller: A bill for an act entitled: "An act to amend section 32-1127, R.C.M. 1947, requiring special permits for movements of vehicles and loads of excess weight and size on Montana highways; authorizing the State Highway Commission to grant special permits in the public interest; and containing a repealing clause."	138, 218.
257	Introduced by Tracy, Good, Healy: A bill for an act entitled: "An act relating to the Montana Liquor Control Board, authorizing said board to fix the salaries of State Liquor Administrator and other employees; establishing limitations; amending section 4-108, R.C.M. 1947."	138, 268.
258	Introduced by Tracy, Healy, Lombardi: A bill for an act entitled: "An act relating to hours in retail store employment; amending section 41-1113, R.C.M. 1947, to provide rest periods."	138, 307.
259	Introduced by Mathers: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1963 and 1964, providing a severability clause and an effective date."	138, 262, 305, 324, 325, 332, 458, 493, 502, 511, 534.
260	Introduced by Lucas, Dykstra: A bill for an act entitled: "An act to amend section 84-5409, R.C.M. 1947, relating to taxation and payment of royalty interest; providing for the liability of operators for royalty taxes; providing for the recovery by operators of royalty taxes; providing for an effective date and repealing all acts and parts of acts in conflict."	138, 306.
261	Introduced by Lucas, Dykstra: A bill for an act entitled: "An act to amend section 84-6208, R.C.M. 1947, relating to the computation of taxes by the county assessor on net proceeds and royalties; providing for withholding by the producer; pro-	

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	viding for an effective date and repealing all acts and parts of acts in conflict."	138, 262, 294, 315, 321, 458, 493, 502, 511, 534.
262	Introduced by Lucas, Haines: A bill for an act entitled: "An act to enable boards of county commissioners to designate zoning districts in certain areas lying outside the corporate limits of cities and towns, and to adopt zoning regulations for these zoning districts, and to create zoning commissions and zoning boards of adjustment for these districts, and repealing sections 11-2710, 11-3852 and 11-3854, R.C.M. 1947, and all acts and parts of acts in conflict herewith."	138, 217, 284, 314, 324, 334, 337, 348, 352, 611, 621, 634, 638, 655, 664, 674, 677, 678, 691, 712.
263	Introduced by Lucas, Mathers, Schepens, Kvaalen: A bill for an act entitled: "An act providing for the creation and establishment of community college districts, directing state board of education to supervise community colleges and junior colleges; providing for elections to create community college districts; providing for governing board of community college districts and for the election, terms and qualifications of its trustees; providing for powers of board of trustees and powers of community college districts; providing authority for, and financing of, maintenance and operations and capital improvements of community college districts; providing for instruction to be offered by community and junior colleges; authorizing negotiations with school districts for property and providing for adult education courses and exchange of teachers; providing that present junior colleges may be established as community colleges and community college districts; and providing for annexation of additional areas to community college districts; repealing sections 75-4401, 75-4402, 75-4403, 75-4404, 75-4405, 75-4406, 75-4407, 75-4408, 75-4409, 75-4410, 75-4411 and 75-4412, R.C.M. 1947."	138, 322, 372, 385, 386, 388, 597.
264	Introduced by Watt: A bill for an act entitled: "An act to amend section 75-1720, R.C.M. 1947, to provide that a tax levy to pay outstanding emergency warrants issued by a school district shall be levied against all the taxable property in the county in which the school district is located."	138, 217, 253.
265	Introduced by Pierce, Beam: A bill for an act entitled: "An act to regulate mobile homes and mobile home parks; defining terms; establishing a mobile home commission; empowering mobile home commission to make and enforce all necessary sanitary, health and safety regulations for such mobile homes and mobile home parks; and,	

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	to establish cooperative agreements with other Montana agencies; providing for licensing and license fee; and providing procedure for cancellation or denial of license; providing for inspections and report of inspection; empowering mobile home commission to issue subpoenas; prescribing penalties; providing for fee required by this act to supersede other fees for the same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder and repealing all acts or parts of acts in conflict herewith; and providing an effective date."	139, 191, 246, 296.
266	Introduced by Weeks: A bill for an act entitled: "An act to amend section 32-201, R.C.M. 1947, which provides that boards of county commissioners may in their discretion levy a tax of not more than ten (10) mills on the taxable property in the county for the construction, maintenance and improvement of public highways; to provide that boards of county commissioners may in their discretion levy a tax of not more than twelve (12) mills on the taxable property in the county for the construction, maintenance and improvement of public highways."	139, 181, 191, 202.
267	Introduced by Seymour, Kvaalen, Smiley, Spahr: A bill for an act entitled: "An act to amend section 75-3510 of the Revised Codes of Montana, 1947, relating to the adoption of textbooks for all schools and for all school courses; by establishing a textbook evaluation commission, providing for the appointment, duties and remuneration thereof, for the adoption of textbooks in each school district and for each high school, and providing an effective date and repealing clause."	139, 345.
268	Introduced by Sheldon, Schepens, Cummings, Rear-den: A bil for an act entitled: "An act to amend section 84-1504, R.C.M. 1947, to provide that net income of corporations making patronage refunds shall be determined for tax purposes in the same manner as provided under existing federal law or future amendments thereto."	144, 156, 306, 320.
269	Introduced by Sheldon, Schepens, Cummings, Rear-den: A bill for an act entitled: "An act amending section 84-4905, R.C.M. 1947, to specifically tax to individuals patronage dividends or refunds as defined by section 17 of the Federal Revenue Act of 1962 or as said act may be labeled and amended."	144, 156, 305, 384.
270	Introduced by Judge, Schye: A bill for an act entitled: "An act amending section 40-2822, R.C.M. 1947, pertaining to countersignature requirement on insurance policies issued in Montana; eliminat-	

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	ing necessity for countersignature on bid bonds required under section 6-501, R.C.M. 1947."	144, 197, 218, 233, 245, 248, 256, 349, 373, 380, 495, 518.
271	Introduced by Crum, Keller, Spahr, Haines: A bill for an act entitled: "An act to amend section 4-403, R.C.M. 1947, as amended, relating to the issuance of retail liquor licenses; limiting the number of licenses and lapse and cancellation of same; increasing the population figures for limiting licenses in cities, towns; and providing for limited licenses on population basis in counties."	144, 305, 334, 359, 371, 377, 383, 568, 620, 621, SA-624, 668, 669, 672, 712.
272	Introduced by Dykstra, Turnage: A bill for an act entitled: "An act to amend section 91-4414 of the Revised Codes of Montana, 1947, as amended by chapter 105 of the Laws of the Thirty-Third Legislative Assembly, 1953, relating to exemptions from inheritance tax, by amending subsection (1) thereof relating to transfers totally exempt."	144, 184, 264, 305, 324, 325, 330, 575, 590, 593, 639, 666, 667, 672, 712.
273	Introduced by Swanz, Weeks, Adams, Schye, Nash, Judge, Baldwin: A bill for an act entitled: "An act to amend section 32-1626 to establish the Lewis and Clark Highway from the Idaho-Montana state line to the North Dakota state line and repealing all acts and parts of acts in conflict herewith."	144, 218, 234, 260, 266, 273, 277, 304, 611, SA-628, 661, 672, 712.
274	Introduced by Shelden, Bradford: A bill for an act entitled: "An act to amend section 11-1024, Revised Codes of Montana, 1947, relating to authority of counties, cities and towns to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans and the contribution of counties, cities and towns to such contracts or plans, to provide for eliminating the limitation on county, city and town contributions to such contracts or plans from five dollars (\$5.00) per month for each officer, employee and their dependents; repealing all acts or parts of acts in conflict herewith, and providing an effective date."	144, 284.
275	Introduced by Judge, Zimmer, Lundgren, Tooke: A bill for an act entitled: "An act to amend subsection (2) of section 16 1904, R.C.M. 1947, which pertains to the manner in which the county commissioners shall fix the amounts to be expended for each item in the annual county budget and which provides that the amount appropriated and	

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	authorized for any budget item must not exceed by more than ten percentum (10%) the amount actually expended for that item in the budget for the fiscal year immediately preceding; to provide that the amount appropriated and authorized for any budget item must not exceed by more than ten percentum (10%) the amount appropriated and authorized for such budget item in the budget for the fiscal year immediately preceding."	145, 217, 327, 377, 385, 389, 394, 399, 518, 639, 668, 669, 671, 711.
276	Introduced by Lund, Stranahan, Cummings: A bill for an act entitled: "An act to amend 81-414, R.C.M. 1947, by modifying the procedure for changing the terms of state land leases."	145, 318, 334, 359, 360, 369, 490, 503, SA-509, 540, 541, 584, 607.
277	Introduced by Lund, Stranahan, Wright: A bill for and act entitled: "An act to amend 81-908, R.C.M. 1947, by increasing the amount of state land one person or corporation can purchase from one to two sections."	145, 318, 334, 359, 360, 368, 451.
278	Introduced by Murray: A bill for an act entitled: "An act to amend section 93-5505, R.C.M. 1947, relating to the time within which to prepare, serve and file a proposed bill of exceptions; and providing for a seventy-five (75) day period from and after the entry of judgment or notice thereof or the determination of a motion for a new trial."	145, 182.
279	Introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 11-2315, Revised Codes of Montana, 1947, relating to the sale of bonds by incorporated cities and towns; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	145, 195, 218, 220, 223, 297.
280	Introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 75-3918, Revised Codes of Montana, 1947, relating to the sale of school district bonds by the boards of school trustees; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	145, 190, 206, 211, 220, 297.

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281	Introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 16-2032, Revised Codes of Montana, 1947, relating to the sale of county bonds by the boards of county commissioners; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	145, 220, 297.
282	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act to be known as the uniform commercial code, revising the law relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; providing for filing fees in certain circumstances; regulating remedies, procedure, evidence, and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending sections 3-226, 5-803, 5-1001, 5-1114, 8-709, 11-2404, 11-3714, 11-3721, 11-3910 (b), 13-606, 16-2905, 16-2922, 16-2923, 19-103, 25-231, 32-1905 (2), 45-109, 45-112, 45-116, 45-301, 45-308, 45-704, 45-707, 45-809, 45-911, 45-1106, 45-1107, 45-1410, 47-124, 52-114, 52-116, 52-212, 52-312, 52-313, 52-314, 52-319 through 52-323, 53-310, 66-202, 67-1301, 72-211, 72-224, 74-608, 79-1905, 88-152, 88-154, 89-109 (2), 93-2802, 93-3403, 93-4301, 93-4302, 93-4307 (4), 93-4338, 93-4344, 93-4346, 93-5811, 93-6001, 93-6004, 93-8613, 93-401-22 and 93-1401-7 of the Revised Codes of Montana, 1947; repealing sections 5-1007, 5-1008, 5-1016, 5-1017, 5-1043, 5-1047 through 5-1049, 8-501 through 8-507, 8-816 through 8-818, 14-523, 15-603, 15-605, 15-628 through 15-651, 16-2921, 17-308 through 17-314, 17-601, 17-602, 18-201 through 18-205, 30-601 through 30-609, 45-106, 45-1104, 45-1301 through 45-1305, 52-301 through 52-311, 52-315 through 52-317, 55-101 through 55-1801, 56-107, 65-104, 65-107, 65-115 through 65-126, 65-201 through 65-219, 67-1702 through 67-1704, 72-303, 72-305 through 72-307, 74-201, 74-202, 74-204 through 74-207, 74-321, 74-401 through 74-403, 74-502, 86-705, 86-706, 88-101 through 88-149, 88-156 through 88-160 and 93-4339 of the Revised Codes of Montana, 1947, and all other legislation inconsistent herewith; and providing an effective date."	146, 246, 277, 357, 386, 393, 422, 437, 609, 666, 667, 671.

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283	Introduced by Tooke, Mathers: A bill for an act entitled: "An act to authorize the Montana Live-stock Commission, upon petition of fifty-one percent (51%) of the sheep raisers owning fifty-one percent (51%) of the sheep in any county of the state, to require a permit for the removal of sheep from such county; providing for the form and issuance of such permits; providing that it shall be a misdemeanor to remove sheep from such a county without a permit; and providing for the manner of removing the requirement for such a permit."	146, 190, 209, 223, 224, 231, 548, 577, 595, 606.
284	Introduced by Johnson, Shelden, Tracy, Lombardi: A bill for an act entitled: "An act to amend section 92-827, R.C.M. 1947, relating to fees of persons representing claimants in proceedings before the industrial accident board; and to repeal all acts and parts of acts in conflict herewith."	146, 316.
285	Introduced by Hazelbaker: A bill for an act entitled: "An act amending section 75-1804, R.C.M. 1947, to provide that no school district, or any portion thereof, shall be included in a petition for consolidation or change of boundaries more than once during one calendar year."	146, 360.
286	Introduced by Smiley, Holtz, Rearden, Healy: A bill for an act entitled: "An act to amend chapter 12 of title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the conduct of elections under the provisions of sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801, and 75-3913, Revised Codes of Montana 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that a majority of the taxpayers and a majority of the real estate taxpayers must vote for such measures in order to adopt and approve the same; to amend chapter 3 of title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend section 23-304, Revised Codes of Montana 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505, Revised Codes of Montana 1947, to provide for the manner of conducting elections; repealing sections 16-2203, 84-4707, 84-4708, 84-4709, 84-4710, 75-3911, 75-3912 and 75-3914, all dealing with elections on bond or debenture issues and tax levies, repealing all acts	

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	and parts of acts in conflict herewith, and providing an effective date for this act."	146, 285, 297, 325, 358, 371, 385, 386, 676.
287	Introduced by Flynn, Watt, Turnage: A bill for an act entitled: "An act to provide for a bond to insure against defects resulting from inferior workmanship, material or planning in a public building which are detected within one year of completion of such building."	147, 246, 364.
288	Introduced by Judge: A bill for an act entitled: "An act to amend section 40-4815, R.C.M. 1947, relating to the application of said section to domestic insurers, and providing an effective date."	147, 219.
289	Introduced by Wayrynen, Reinecke, Pierce, Tracy: A bill for an act entitled: "An act prohibiting certain fish derbies."	147, 190, 206, 215, 316.
290	Introduced by Wayrynen, Pierce, Gill, Welch, Seymour, Tracy: A bill for an act entitled: "An act to amend sections 26-201 and 26-320, R.C.M. 1947, by including mourning doves within the definition of migratory game birds and allowing the Fish and Game Commission to open the season and prescribe bag limits for mourning doves in a county upon the recommendation of the county commissioners."	147, S-214, 234, 260, 274.
Sub. 290	A bill for an act entitled: "An act to amend sections 26-201 and 26-320, R.C.M. 1947, by including mourning doves within the definition of migratory game birds and allowing the fish and game commission to open the season and prescribe bag limits for mourning doves in any county of the state; providing for public hearing if more than ten written complaints are filed with the fish and game commission protesting an open season on doves in any county; providing for penalty."	214, 234, 260, 274.
291	Introduced by Wayrynen, Reinecke, Gill, Tracy: A bill for an act entitled: "An act to amend section 26-301, R.C.M. 1947, by removing the prohibition against using salmon eggs, salmon spawn or imitations as bait for fishing."	147, 190, 209, 223, 224, 229, 381, 394, 406, 410, 465.
292	Introduced by Thompson, Schye: A bill for an act entitled: "An act relating to payment of wages and protection of discharged employees; amending section 41-1301, R.C.M. 1947, to require employers to notify employees in writing or by posted notice of terms of employment and extending the protection of said section to agricultural, stock growing, supervisory and technical employees, and imposing responsibility upon cor-	

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	porate officers and managers for knowingly permitting violation; amending section 41-1302, R.C.M. 1947, to increase penalty for nonpayment of wages; amending section 41-1303, R.C.M. 1947, to impose penalty for failure to pay wages due and owing upon discharge after demand; amending section 41-1305, R.C.M. 1947, to eliminate reference to five per cent penalty; amending section 41-1315, R.C.M. 1947, to extend protection to employees in other than certain mining, mineral refining and oil drilling enterprises; and repealing sections 41-1312, 41-1313, 41-1314 and 41-1319, R.C.M. 1947."	147, 237.
293	Introduced by Thompson, Schye: A bill for an act entitled: "An act to amend section 41-1605, R.C.M. 1947, by empowering the Commissioner of Labor and Industry in the discharge of his duties to investigate, administer oaths, compel attendance and examination of witnesses and records, take depositions and affidavits, and providing for reference of incidents of disobedience to the district court; and repealing section 3-1503, R.C.M. 1947."	147, 237.
294	Introduced by Thompson, Schye: A bill for an act entitled: "An act relating to employment of children and amending section 10-201, R.C.M. 1947, to prohibit employment of children under eighteen years of age, except as apprentices, in certain occupations; amending section 10-202, R.C.M. 1947, to provide liability of parent or guardian permitting child under eighteen years of age to work in certain occupations; amending section 10-204, R.C.M. 1947, to provide for issuance of age certificate to child fourteen years of age; and repealing sections 10-207, 10-208, 10-209 and 10-210, R.C.M. 1947."	148, 237.
295	Introduced by Adams, Mathers: A bill for an act entitled: "An act amending section 41-1201, R.C.M. 1947, to change the membership of the apprenticeship council and to provide that the council is a part of the Department of Labor and Industry."	148, S-287, 315, 337, 348, 352, 549, 595, 596, 630, 655.
Sub. 295	A bill for an act entitled: "An act amending sections 41-1201 and 41-1202, R.C.M. 1947, changing the membership of the Apprenticeship Council; providing that the council is a part of the Department of Labor and Industry; providing for the election of a chairman and vice chairman of the council; authorizing the Commissioner of Labor and Industry, subject to the approval of the council, to appoint a director of apprenticeship and other clerical, technical and professional staff as may be necessary; and providing that the	

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	director of the council shall serve as its secretary without a vote."	287, 315, 337, 348, 352, 549, 595, 596, 630, 655.
296	Introduced by Bardanouve, Weeks, Rosell, Shelden: A bill for an act entitled: "An act amending section 92-1401, Revised Codes of Montana, 1947, enacted as section 1, chapter 21, Laws of 1961, to apply to all employees covered by Workmen's Compensation; repealing section 92-1405, Revised Codes of Montana, 1947, enacted as section 6, chapter 21, Laws of 1961; and amending section 92-1406, Revised Codes of Montana, 1947, enacted as section 7, chapter 21, Laws of 1961, to provide for an Industrial Accident Rehabilitation Fund and to provide for mandatory payments to said fund by employers coming under plan No. 1 of the Workmen's Compensation Act, by plan No. 2 Insurance Carriers, and by the Industrial Insurance Fund of the State of Montana."	148, 365, 406, 414, 419, 432, 609, 620, SA-627, 668, 669, 671, 711.
297	Introduced by Aasheim, Broeder, Swanz, Twedt, Northey, Slaby: A bill for an act entitled: "An act creating the Montana State Safety Commission; providing for its powers and duties; and providing for an appropriation."	148, 276, 440, 456, 494.
298	Introduced by Regan, Spahr: A bill for an act entitled: "An act to submit to the electors of the State of Montana an amendment to section 2, Article XIX of the Constitution of the State of Montana, to provide that the game of bingo is lawful when conducted by religious, charitable or fraternal corporations, and if approved by the electors of the county wherein the same is to be played."	148, 346.
299	Introduced by Seymour, Kvaalen: A bill for an act entitled: "An act to amend sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause."	148, 360.
300	Introduced by Judge: A bill for an act entitled: "An act to amend section 3-1212, R.C.M. 1947, relating to the licensing of nurserymen and defining seasonal nurserymen, and requiring seasonal nurserymen to make application for a license not less than ninety (90) days in advance of doing business within the State of Montana each year; and providing an effective date."	148, 196, 218, 233, 234, 242, 366, 375, 490, 503, SA-509, 540, 541, 584, 607.

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301	Introduced by Kvaalen, Haughey, Spahr: A bill for an act entitled: "An act to amend section 75-3414 of the Revised Codes of Montana 1947, as amended, relating to transportation budgets; to provide that cash balances of a high school district transportation fund shall be used to reduce the district levy, unless no district levy will be required and that in those cases cash balance shall be used to reduce the county wide levy."	148, 199, 224, 246, 248, 251, 497, 523, 548, 574.
302	Introduced by Lucas, Haines, McNamer: A bill for an act entitled: "An act to clarify the advisory functions and jurisdiction of city planning boards and city-county planning boards under provisions of title 11, chapter 38, R.C.M. 1947, by amending sections 11-3801, 11-3803, 11-3808, 11-3810, 11-3813, 11-3818, 11-3820, 11-3824, 11-3825, 11-3828, 11-3830, 11-3831, 11-3833, 11-3834, 11-3840, 11-3842, 11-3843, 11-3844, 11-3845, 11-3846, 11-3847, 11-3848, 11-3851 and 11-3855, R.C.M. 1947; by adopting a saving clause; and by repealing sections 11-3832, 11-3835, 11-3836, 11-3837, 11-3838, 11-3839, 11-3852, 11-3854, 11-3856, 11-3857 and 11-3858, R.C.M. 1947."	148, 285, 325, 337, 348, 355, 611, 621, 632, 638, 655, 662, 674, 686, 688, 691, 712.
303	Introduced by Seymour, Keller, Regan: A bill for an act entitled: "An act to amend section 32-2137, R.C.M. 1947, relating to traffic control signals."	149, 218, 234, 260, 266, 272, 494, 567, 620, 622, 646, 647, 654, 687.
304	Introduced by Wright, Asbjornson, Lund, Aasheim: A bill for an act entitled: "An act to amend section 75-4601, R.C.M. 1947, providing for the election of additional trustees to the boards of trustees of high school districts; providing for the establishment of trustee nominating districts; containing a repealing clause and providing an effective date."	149, 268, 305, 324, 325, 330, 591, 620, SA-625, 657, 671, 711.
305	Introduced by Selstad, Rosell: A bill for an act entitled: "An act to amend section 31-134, R.C.M. 1947, to provide for an examination for an applicant for renewal of an operator's or chauffeur's license on a time interval basis."	149, 276, 295, 304, 315, 323, S-341, 386, 393, 401, 408, 591, 620, SA-625, 666, 667, 711.
Sub. 305	A bill for an act entitled: "An act to amend section 31-135, R.C.M. 1947, to provide for an examination	

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	for an applicant for renewal of an operator's or chauffeur's license on a time interval basis; and providing an effective date."	341, 386, 393, 401, 408, 591, 620, SA-625, 666, 667, 711.
306	Introduced by Selstad: A bill for an act entitled: "An act to amend section 37-103, R.C.M. 1947, to provide that any signature on an initiative or referendum petition must be identical in form to the signature of the elector on the registration books in order to be genuine."	149, 286.
307	Introduced by Harper (by request), O'Hair (by request): A bill for an act entitled: "An act appropriating the sum of \$76,243.20 to pay Francis R. Pulliam for injuries he received while on active duty as a first lieutenant with the Montana National Guard (and/or organized militia of Montana) on April 18, 1959, while in his official capacity in helping to quell the riot at Montana State Penitentiary in Deer Lodge, Montana, on said date. That injuries are as follows, to-wit: gunshot wound, left forearm, with loss of muscle substance in the flexor group. Severance of the median nerve with loss of light touch over the palm, thumb, and first two fingers, palmer aspect. Deforming scar, left forearm, secondary to gunshot wound. Gunshot wound, left hip, with resultant loss of cutaneous sensation over lateral aspect of hip and thigh, secondary to gunshot wound of hip. Providing for an effective date."	149, 407, 417.
308	Introduced by Gill, Welch, Wayrynen: A bill for an act entitled: "An act to prohibit the carrying of loaded rifles or shotguns in any motor vehicle; exceptions and penalty for the violation of the act."	149, 364.
309	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend rule 4, M.R.CIV.P., relating to persons subject to jurisdiction; process; service; repealing the following sections of the Revised Codes of Montana, 1947; sections 53-204; 93-3004; 93-3009; 93-3010; 93-3019; 93-6206; 93-6207; and 93-6208 and repealing all acts and parts of acts in conflict herewith."	149, 374, 406, 414, 422, 436, 609, 646, 647, 654, 687.
310	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend sections 81, 82 and 83 of chapter 13, Session Laws of Montana for 1961, by striking from section 81, table A, the language "quiet title (including actions to establish title to property granted to heirs of deceased entrymen) — sections 93-6201 to 93-6239," and substituting therefor the language "actions to establish title to property granted to heirs of deceased's entrymen — sections 93-6225 to 93-6239"; to amend section 82, chapter 13, Ses-	

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	sion Laws of 1961 by adding to table B in the list of statutes superseded by rule 4 to following sections; 53-204, 93-3004; 93-3009; 93-3010; 93-3019; 93-6206; 93-6207 and 93-6208; by amending section 83 of chapter 13 of the Session Laws of 1961, table C, by adding to the list of statutes superseded by the rules sections 53-204, rule 4; 93-3004, rule 4; 93-3009, rule 4; 93-3010, rule 4; 93-3019, rule 4; 93-6206, rule 4; 93-6207, rule 4; 93-6208, rule 4."	149, 374, 406, 414, 419, 432, 609, 646, 647, 654, 687.
311	Introduced by Nichols, Haines, Hawks: A bill for an act entitled: "An act amending section 25-501.1, R.C.M. 1947, to require elected state officials to devote all of their time to their official duties."	152, 318.
312	Introduced by Schye, Spilde: A bill for an act entitled: "An act to amend section 4-341 of the R.C.M. of 1947, relating to fees for beer licenses, by providing a license fee for brewers wherever located whose product is sold or offered for sale within the state; and repealing all acts and part of acts in conflict herewith."	152, 261, 294, 303, 305, 314, 321, 323, 497, 522, SA-526, 564, 584, 607.
313	Introduced by Judge, Goan: A bill for an act entitled: "An act to amend section 84-1812, R.C.M. 1947, relating to distribution and use of proceeds of gasoline license tax by providing that one per centum (1%) of all receipts shall be deposited and credited to the state park fund, and the balance shall be deposited and credited, seventy-five per centum (75%) to state highway fund and twenty-five per centum (25%) to the gasoline license drawback fund, and providing that the one per centum (1%) deposited and credited to the state park fund be used for creation, improvement, and maintenance of state parks which are used for motor boating."	152, 228, 341, 386, 393, 411, 413, 415, 428, 609, 629, 630, 654, 712.
314	Introduced by Judge, Goan: A bill for an act entitled. "An act to amend section 84-1818, R.C.M. 1947, to remove gasoline used in motor boats from entitlement to refund of gasoline license tax."	153, 228, 341, 401, 411, 413, 415, 428, 611, 621, SA-628, 666, 667, 671, 711.
315	Introduced by Haines, Weeks, Good: A bill for an act entitled: "An act relating to professions and occupations, defining terms, providing for regulation and supervision of dispensing opticians by the State Board of Medical Examiners, prescrib-	

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	ing powers and duties, and providing for licensing, fees, regulations, hearing and appeal, and other procedures."	153, 308.
316	Introduced by Reinecke, Leuthold: A bill for an act entitled: "An act amending section 84-1813, R.C.M. 1947, relating to the tax on diesel fuel and other specified motor fuels; specifying and expanding the uses, situations and conditions to which the tax shall apply when used in motor vehicles, motorized equipment and engines, and providing for the method of collection."	153, 235, 267, 291, 294, 300, 421, 464, 466, 495, 518.
317	Introduced by Wright, Eskildsen: A bill for an act entitled: "An act amending sections 3-103, 41-1603, 78-101, 81-209, 81-1403, 81-2011, 82-1011, 84-702, and 92-104, R.C.M. 1947, to increase salaries of elected and appointed officials."	153, 184, 283, 314, 324, 325, 331, 609, 620, SA-628, 657, 671, 711.
318	Introduced by Selstad: A bill for an act entitled: "An act to amend section 11-1919, R.C.M. 1947, relating to the manner in which the State Auditor of the State of Montana shall pay to the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the premium taxes collected from insurers authorized to do business in the State of Montana."	153, 197, 223, 233, 234, 242, 366, 395, 406, 410, 465.
319	Introduced by Wayrynen, Hazelbaker: A bill for an act entitled: "An act to amend section 26-320 Revised Codes of Montana 1947, to require the State Fish and Game Commission to place all of the State of Montana in the Pacific Flyway for the hunting of migratory game birds, unless the United States Department of Interior specifically orders otherwise; and repealing all acts in conflict with this act."	153, 190.
320	Introduced by Wright, Stranahan, Aasheim, Etchart: A bill for an act entitled: "An act to provide for additional salary for county superintendents of schools to be paid from state funds; amending sections 25-601, 25-605 and 25-609; and containing a repealing clause."	153, 217, 295, 324, 337, 338, 339.
321	Introduced by Osburnsen, Holtz, Wayrynen, Raundal, Cummings, Deschamps, Murray: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas for the construction of cable lines, oil lines, pipe lines, roadways not otherwise	

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	specifically provided for, and other types of construction."	153, 208, 345.
322	Introduced by Hawks, Judge: A bill for an act entitled: "An act continuing the Montana Territorial Centennial Commission as a temporary agency of state government; prescribing the powers of the commission and appropriating moneys for the operation of the commission."	153, 604, 634, 636, 638, 649, 691, 693, 700.
323	Introduced by Pierce, Haughey, Beam, Rehberg, McNamer, Woodard, Goan, Rosell, Crum: A bill for an act entitled: "An act establishing the Montana Advertising Council; providing for the appointment of persons in the advertising and public relations fields as members for specified terms; providing that the council shall assist the State Advertising Department in advertising the state and its attractions; shall consult with and assist local and regional groups and bodies in the advertisement and promotion of local and state events and attractions; and shall endeavor to develop a coordinated tourist promotion program; and providing that the members shall serve without compensation."	153, 363, 406, 414, 419, 430, 575, 616.
324	Introduced by Leuthold, Stranahan, Deschamps, Hazelbaker: A bill for an act entitled: "An act to amend section 89-2932, R.C.M. 1947, enacted as section 22, Chapter 237, Laws of 1961, pertaining to the appointment of ground water commissioners; providing for their authority in supervising the withdrawal of ground water and the carrying out of orders issued by the administrator; providing for the supervision of the use of ground waters within the boundaries of the state of Montana and particularly within designated control areas within said state by water commissioners appointed by the judge of the district court of the judicial district of the state of Montana within which such designated controlled area is situated; providing for the appointment by judges of the district court of the judicial district in which said controlled areas are situated of water commissioners to administer the withdrawal of ground waters within said areas; making the provisions of sections 89-1002 through 89-1024, R.C.M. 1947, applicable to the administration of this act."	154, 208, 292, 315, 337, 348, 354, 535, 616.
325	Introduced by Holtz, Haines, Spahr: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by Chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and	

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	domestic savings and loan associations, of amounts paid or credited to members as dividends on their withdrawable accounts, if such amounts paid or credited are withdrawable upon notice of intention to withdraw; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	154, 246, 364.
326	Introduced by Hibbard, Etchart, Asbjornson: A bill for an act entitled: "An act to amend section 59-801 and section 59-802, R.C.M. 1947, relating to mileage of public officers and providing mileage payments at the rate of twelve cents (\$.12) per air mile for legislators and other state employees when flying an airplane on official business."	154, 226, 274, 277, 281, 519, 564, 584, 607.
327	Introduced by Committee on Agriculture and Irrigation: A bill for an act entitled: "An act to amend section 75-2212, R.C.M. 1947, by changing the date of Arbor Day, and providing an effective date."	154, 191, 206, 212, 213, 215, 295, 413, 441, 442, 450, 465.
328	Introduced by McNamer, Pierce, Beam, Rosell, Woodard, Rehberg, Goan, Crum, Haughey: A bill for an act entitled: "An act to amend section 11-966, R.C.M. 1947, to provide that a city or town council has power to contract an indebtedness on behalf of a city or town for building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water."	154, 262, 294, 303, 324, 325, 332, 549, 596, 630, 655.
329	Introduced by Harper, O'Hair, Lombardi, Tracy, Twedt, Cummings: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by person, corporations, partnership, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment of the state board of equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the state board of equalization, and penalties for neglect or failure to comply with the provisions of this act."	154, 235.
330	Introduced by Haines, Deschamps, Northey: A bill for an act entitled: "An act to amend sections 69-2401 and 69-2404, R.C.M. 1947, providing for defining a boarding home or nursing home for aged persons to be a home where one or more	

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	aged persons are residing and boarding or receiving nursing care including governmental units; defining person, governmental unit and the operator of a boarding home or nursing home; and extending inspections from ninety days to six months; repealing all acts or parts of acts in conflict herewith; and establishing the effective date of this act."	155, 306.
331	Introduced by Bradford, Harper, Tracy, Twedt, Lombardi, Schepens, Brenner, Laas, Eskildsen, Wayrynen, Lewis, Shelden, O'Hair, Slaby: A bill for an act entitled: "An act to amend section 84-4902, R.C.M. 1947, as amended by section 1, Chapter 265, of the Montana Session Laws of 1959; relating to rate of income tax; to provide for a change in rates; containing a repealing clause; providing for an effective date."	155, 379.
332	Introduced by McNamer, Pierce, Beam, Rosell, Woodard, Rehberg, Goan, Crum, Haughey: A bill for an act entitled: "An act to amend section 16-2008, R.C.M. 1947, to provide that the board of county commissioners of every county of the state shall be vested with the power and authority to issue, negotiate and sell coupon bonds on the credit of the county for the purpose of building, purchasing, constructing and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water."	155, 217, 236, 283, 303, 324, 325, 331, 549, 577, 578, 595, 606.
333	Introduced by Commtee on Ways and Means: A bill for an act entitled: "An act to authorize the state of Montana to become indebted for the sum of five million dollars (\$5,000,000), in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the state of Montana is now obligated, for the reconstruction, modernization, enlargement, improvement, remodeling, repair and equipment of the state capitol building of the state of Montana at Helena, Montana; providing for the issuance of bonds in the name of the state of Montana as evidence of such indebtedness and for the sale thereof; prescribing the form of such bonds and providing for a levy of an annual tax in excess of the amount prescribed by the constitution for state purposes sufficient to pay the principal thereof and interest accruing thereon; providing for a referendum of this act; describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state; and providing when this act shall take effect."	155, 176, 202, 212, 216, 222, 229.
334	Introduced by Keller, Holtz: A bill for an act,	

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	entitled: "An act to amend section 37-109, R.C.M. 1947, to provide that those who sign petitions for the initiative and referendum must sign the petition in the same form as their name appears on the list of qualified voters."	157, 286.
335	Introduced by Bardanouve, Haines, Kvaalen: A bill for an act entitled: "An act to provide for the financing of soil conservation districts by the levy of assessments; providing the procedure therefor; providing an effective date."	157, 208, 357, 395, 411, 412, 415, 428, 568, 614, 615, 669, 713.
336	Introduced by Goan, Northey, Dykstra, Turnage: A bill for an act entitled: "An act providing for the method of establishment of original schedules of railroad rates and classifications; providing for the method of giving notice thereof; providing for the method of changing or revising any railroad rate, fare, charge, classification, schedule, or rule of service; providing the procedures to be followed in filing and investigating complaints against railroad rates, fares, charges, or classifications; providing for discretionary suspension of railroad rates, fares, charges, classifications, schedules, or rules of service under certain circumstances; providing that railroads affected by the provisions of this act shall display its rates and classifications and providing a penalty for non-compliance; and repealing sections 72-117, and 72-118, Revised Codes of Montana, 1947."	157, 246, 296.
337	Introduced by Jensen, Turnage, Lundgren: A bill for an act entitled: "An act authorizing the creation of a rural improvement district including areas in more than one county; providing the procedure of administration therefor; providing an effective date."	157, 217, 253, 282, 294, 302, 413, 441, 442, 450, 465.
338	Introduced by Bashor, Regan: A bill for an act entitled: "An act defining 'subdivision' and 'subdivided lands'; providing for the regulation, supervision and control of subdivisions by the State Real Estate Commissioner and defining his duties and powers relative thereto; and providing a penalty for the violation of this act."	158, 208, 309, 338, 359, 371, 385, 388, 549, 583, SA-587, 614, 615, 669, 687.
339	Introduced by Crum, Leuthold: A bill for an act entitled: "An act to amend section 75-1630, R.C.M. 1947, relating to elementary school attendance outside the district of residence; providing for	

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	authorization of such attendance; providing for payment of tuition; and fixing an effective date."	158, 199, 234, 260, 274, 277, 280, 497, 523, 548, 574.
340	Introduced by Bashor, Beam: A bill for an act entitled: "An act to amend section 84-6204, Revised Codes of Montana, 1947, relating to the deduction of drilling costs and capital expenditures in computing the net proceeds tax on gas or petroleum production; providing for the deduction of expenditures of drilling dry holes and prorating said expenditures among producing wells; and providing for the repeal of certain provisions relating to deductions for the year 1953."	158, 182, 188, 202, 396, 411, 430, 609.
341	Introduced by Pierce (by request): A bill for an act entitled: "An act to hasten the development and adoption of uniform standards for new or improved automotive safety equipment and to be known as the 'vehicle equipment safety compact'; setting forth the basic purposes of compact; defining certain terms used in act; creating commission to administer compact and prescribing powers and duties of such commission; authorizing commission to conduct research and testing activities; requiring study, report and hearing by commission prior to adoption of vehicle equipment changes; providing for method of financing commission budget; adopting rules and regulations concerning conflicting interests of party states; establishing advisory and technical committees; providing for entry and withdrawal from compact; providing for construction and severability of act; providing that if any part of act held unconstitutional it shall not affect remaining parts of act; providing that adoption of compact will not nullify existing statutes without legislative approval; providing for appointment of state commissioner by governor; providing employee benefits; requiring filing of documents; establishing procedure for submitting budget; repealing all acts or parts of acts in conflict herewith; defining the term 'executive head.'"	158, 306.
342	Introduced by Blewett, Selstad, Holtz, Seymour, Keller: A bill for an act entitled: "An act amending section 23-605, R.C.M. 1947, by increasing the maximum hourly rate for election officers from one dollar (\$1.00) to one dollar twenty-five cents (\$1.25) per hour."	158, 204, 223, 233, 234, 242, 327, 348, 355, 360, 402.
343	Introduced by Keller, Bashor, Schye: A bill for an act entitled: "An act to amend section 84-301, Revised Codes of Montana, 1947, relating to the classification of property for taxation; and providing for change in classification of the net proceeds from oil and gas wells from class one, or	

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	100 per cent of its true and full value, to class four, or thirty per cent of its true and full value."	158, 378, 410, 421, 442, 445, 575.
344	Introduced by Keller, Bashor, Schye: A bill for an act entitled: "An act to amend section 84-2202, Revised Codes of Montana, 1947, relating to the oil producer's license tax; and providing for an increase in the rate of tax from two and one-half percent to three and three-quarters percent on production in excess of 450 barrels of oil per calendar quarter from each producing well."	158, 356, 395, 411, 415, 423, 575.
345	Introduced by Regan, Blewett, Holtz, Selstad: A bill for an act entitled: "An act amending section 23-1309, R.C.M. 1947, by providing that absentee ballots received by the clerk after twelve o'clock noon on the day next preceding an election shall be rejected."	159, 286, 314, 324, 334, 345, 353, 519, 564, 584, 607.
346	Introduced by Beck, Pierce: A bill for an act entitled: "An act relating to and regulating private cemeteries; the establishment of private cemeteries and the perpetual care and maintenance trust funds thereof; exempting certain cemeteries; to define terms used herein; to establish a state cemetery board and to vest the administration and enforcement of this act therein; licensing and certificate of authority; to prescribe the powers, duties, authority, jurisdiction and compensation of said state cemetery board with respect to this act; to authorize the adoption and promulgation of rules, regulations relating to the investment and reinvestment of the perpetual care and maintenance trust funds; deposit of trust funds limited to any bank or trust company qualified under the laws of this state; special care funds and their use and application; inspection and examination by cemetery board of the financial condition and investments of trust funds; trust reports by state board to state examiner; covenant to care for cemetery; authority of cemetery to make, adopt and enforce rules and regulations for the conduct and operation of its business; additional legal remedies permitting enforcement of act by cemetery board; general penalties of violations; exemption from taxation and execution; severability and constitutionality."	159, 236.
347	Introduced by Blewett, Holtz, Keller, Seymour, Regan, Spahr, Reardon: A bill for an act entitled: "An act to amend section 71-302 of the Revised Codes of Montana of 1947, relating to eligibility requirements for general relief; establishing the rules for changes in residence from one county to another; setting forth the responsibility of the two counties; and prohibiting general assistance to persons entitled to unemployment	

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	compensation benefits under certain circumstances."	159, 307, 323, 347, 377, 389, 394, 400, 610.
348	Introduced by Zimmer, Rosell, Turnage, Slaby, Casey, Harper: A bill for an act entitled: "An act to amend sections 23-1301 and 23-1312, R.C.M. 1947, relating to voting by elector when absent from place of residence or physically incapacitated from going to polls; voting before election day by prospective absentee or physically incapacitated elector, by providing that same should apply to school elections."	159, 246, 286, 305, 324, 325, 333, 458, 493, 502, 548, 574.
349	Introduced by Tracy: A bill for an act entitled: "An act to amend section 11-1912, R.C.M. 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same; providing for an increase thereof; and providing a maximum levy for such provisions by cities in the third class."	159, 267, 314, 324, 325, 330, 333, 535.
350	Introduced by Harper, Bradford, Wayrynen, Eskildsen, O'Hair: A bill for an act entitled: "An act providing for the payment of an honorarium, or adjusted compensation, to the residents of Montana who served in the armed forces of the United States in World War I; providing for the issuance and sale of \$8,000,000.00 of limited obligations of the state of Montana for the payment of such honorarium, or adjusted compensation; provided that such bonds should never become a general obligation of the state but shall be payable only out of a cigarette excise tax herein provided for; amending sections 84-5606 and 84-5621 of the Revised Codes of Montana, 1947; providing penalties and making other provisions for the administration of this law."	159.
351	Introduced by Healy, Mathers, Crum, Bardanouve, Laas, Regan, Johnson: A bill for an act entitled: "An act to provide for the inclusion of the Eastern (Greek) Orthodox Church as a major faith where the names of other major faiths are used; and containing a repealing clause; and containing an effective date."	160, 252.
352	Introduced by Slaby, Lucas: A bill for an act entitled: "An act to transfer certain moneys to qualifying police officers' reserve funds; requiring the trustees of the police officers' reserve fund to submit an annual report of the condition of the respective funds; providing for the trustees to submit an annual request with the annual report; and, appropriating the premium tax collected on automobile physical damage, collision and comprehensive premiums as the source of the funds;	

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	providing for an effective date and repealing all acts and parts of acts in conflict herewith."	160, 296, 314, 324.
353	Introduced by Thompson, Keller, Smiley: A bill for an act entitled: "An act to amend sections 75-4801 to and including 75-4808, R.C.M. 1947, to include state controller; providing an effective date and repealing clause."	160.
354	Introduced by Lombardi, Tracy, Johnson, Slaby: A bill for an act entitled: "An act to amend sections 87-103, 87-104, and 87-105, Revised Codes of Montana, 1947, relating to unemployment compensation benefits; restoring benefit formula, increasing maximum potential benefit and maximum potential duration; and restoring benefit eligibility conditions; repealing conflicting acts; providing an effective date."	160, 307.
355	Introduced by Hawks: A bill for an act entitled: "An act relating to group life and health insurance for state officers and employees; creating a state employees insurance board; prescribing its powers and duties and providing for payroll deductions."	160, 373, 406, 414, 419, 431, 519, 611, 621, 634, 638, 656, 671, 674, 677, 678, 691, 712.
356	Introduced by Bardanouve: A bill for an act entitled: "An act amending section 69-105, R.C.M. 1947, to require a quarterly inspection of public institutions by the board of health and requiring a detailed report of such inspections to be made to the Legislative Assembly."	160, 307, 325, 358, 360, 369, 610.
357	Introduced by Lombardi, Tracy, Johnson, Slaby: A bill for an act entitled: "An act relating to contributions under the unemployment compensation law; providing average 1.8 yield; providing maximum contribution rate, repealing voluntary contributions; providing penalty for delinquency; increasing taxable wage; providing an effective date."	160, 307.
358	Introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act amending sections 80-816 and 80-920, R.C.M. 1947, to increase fees paid by counties for the state industrial school and the state vocational school for girls; and depositing proceeds under section 80-816, R.C.M. 1947, in the industrial school building fee fund."	161, 220, 235, 282, 291, 294, 298, 326, 376, 385, 387, 591, 620, SA-626, 666, 667, 686, 713.
359	Introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act providing for the	

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	construction of a physical education building at the state industrial school, allowing the borrowing of money or issuance of bonds for such purpose and providing for repayment of the same."	161, 220, 235, 267, 291, 294, 298, 326, 376, 385, 387, 591, 620, SA-626, 666, 667, 686, 713.
360	Introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act amending section 79-1202, R.C.M. 1947, to allow the state board of land commissioners to invest in bonds issued for construction of a physical education building at the state industrial school."	161, 220, 235, 272, 291, 294, 298, 326, 376, 377, 387, 591, 620, SA-626, 666, 667, 686, 713.
361	Introduced by Schye, Laas, Falkenstern, Goan, Stranahan: A bill for an act entitled: "An act prohibiting officers, agencies and departments of the state of Montana and of its political subdivisions from entering into collective bargaining contracts with labor unions or other employee associations, or to delegate any authority to such, or to require membership in such as a condition or a term of employment, prohibiting strikes by governmental employees and providing for forfeiture of office or employment for violations."	161.
362	Introduced by Schye, Bashor, Laas, Asbjornson, Hemstad: A bill for an act entitled: "An act to restrict and regulate the colonization of agricultural lands by persons having no individual or personal ownership or rights of ownership in such lands, but constituting a society in which each member shares in the distribution of profits or benefits of the colony according to his needs, or in equal measure with his fellow members, or otherwise, in accordance with some concept of communal property; to provide for dividing the state into zones, classified as to the suitability of soil, climate and natural resources, for agricultural uses; to limit the size within each zone of the agricultural areas which may be used for the creation of maintenance of communal colonies; to regulate the spacing of colonies in relation to each other and in relation to urban and industrial communities; to create an administrative authority to be known as the communal property control board to administer this act; to prescribe procedures by which applications for leave to establish colonial societies may be made, and by which such applications may be heard and passed upon by the communal property control board; to provide for hearings to be had upon all such applications and for right of appeal from determinations of the board by persons aggrieved thereby; to authorize the board to compel attendance of	

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	witnesses at hearings, and production of books and papers; to provide for enforcement of this act by punishment of violation of the provisions thereof or disobedience to the lawful orders of the board; to provide for compensation to be paid to the members of the board and its employees, and for payment of expenses incurred by members of the board and its employees in the performance of their duties hereunder."	161, 208, 319, 320.
363	Introduced by Beck: A bill for an act entitled: "An act amending section 86-701, R.C.M. 1947, relating to contracts for prearranged provision for funeral services, burial, or cremation."	161, 252.
364	Introduced by Rehberg, Woodard, Kvaalen: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-First Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of the Thirty-Second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirti-Sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for a graduated increase in such rental rates based upon carrying capacities of such lands, repealing all acts and parts of acts in conflict herewith, and providing an effective date."	161.
365	Introduced by Watt, Davis, Welch: A bill for an act entitled: "An act to amend section 25-605, R.C.M. 1947, to provide for an increase in the salaries of the county superintendents of schools."	162, 217, 295.
366	Introduced by Cummings, Welch, Schepens: A bill for an act entitled: "An act to amend Initiative Measure No. 54 adopted by the vote of the legal electors of the State of Montana at the regular general election held in the State of Montana on November 7, 1950, as amended by Chapter 44, Session Laws of 1957, relating to section 10 thereof, by providing a new date for the submission of applications for payment of the Korean War Honorarium to be January 1, 1964; repealing all acts and parts of acts in conflict herewith; providing an effective date."	162, 188, 218, 233, 234, 243, 609, 629, 630, 654, 687.
367	Introduced by Haughey, McNamer, Watt, Hazelbaker: A bill for an act entitled: "An act amending section 44-213, Revised Codes of Montana, 1947, to allow city and county governments to contract with the state board of education of Montana to establish joint or regional libraries; and providing an effective date."	162, 225, 272, 294, 295, 302, 673, 686, 688, 691, 712.

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368	Introduced by Schye, Good: A bill for an act entitled: "An act amending sections 69-1509 and 69-1604, R.C.M. 1947, relating to experience qualifications for licensing steam and hoisting engineers; and providing for an effective date."	162, 309.
369	Introduced by Crum: A bill for an act entitled: "An act to amend section 4-172, R.C.M. 1947, enacted as Chapter 200, Laws of 1959, relating to bottle clubs and containing definitions; and providing for an effective date and repealing clause."	162, 307, 325, 358, 376, 377, 497, 523, 548, 574.
370	Introduced by Adams, Swanz, Tooke: A bill for an act entitled: "An act to amend section 11-1925, Revised Codes of Montana, 1947, relating to pensions for retired firemen by increasing the length of active duty required for eligibility for pension from twenty (20) to thirty (30) years."	162, 195.
371	Introduced by Bardanouve: A bill for an act entitled: "An act relating the licensing and bonding of transient retail merchants; amending sections 84-3701 and 84-3704, R.C.M. 1947, to change the definitions of 'transient retail merchants' and to require that persons soliciting magazine or book subscriptions be licensed and bonded as transient retail merchants."	162, 246, 308.
372	Introduced by Bardanouve: A bill for an act entitled: "An act amending section 43-709, R.C.M. 1947, to provide that members of the Legislative Council shall be appointed by the caucuses of the two (2) major political parties of each house of the Legislative Assembly."	162, 363, 390, 393, 411.
373	Introduced by Schye, Laas: A bill for an act entitled: "An act to amend section 32-1608, R.C.M. 1947, relating to contracts for work on state highways by the State Highway Commission; providing that each prospective bidder must submit and attach to his bid proposal a duly executed copy of each and every sub-contract entered into in connection with the work to be performed."	162, 341, 358, 364.
374	Introduced by Laas, Schye: A bill for an act entitled: "An act to amend section 16-1803, R.C.M. 1947, relating to the request for bids on the letting of contracts by the board of County Commissioners; providing that each prospective bidder must submit and attach to his bid proposal a copy of any sub-contract entered into in connection with said bid."	163, 217, 327.
375	Introduced by Schye, Laas: A bill for an act entitled: "An act to amend section 11-1202, R.C.M. 1947, relating to warding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dol-	

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	lars (\$1,000.00); providing that each prospective bidder must submit and attach to his bid proposal a copy of any sub-contract entered into in connection with said bid."	163, 285.
376	Introduced by Wayrynen, Lombardi, Good, Healy, Tracy: A bill for an act entitled: "An act to establish method for determining the rates to be paid by the State Board of Public Welfare for hospital care."	163, 356.
377	Introduced by Wayrynen, Healy, Good, Lombardi, Tracy: A bill for an act entitled: "An act providing that metalliferous mines license tax collections attributable to mining operations in any county in excess of \$500,000 in any year shall be transmitted by the state treasurer to the county treasurer of such county to be credited to the county poor fund; amending section 84-2002, R.C.M. 1947; containing a repealing clause, and providing for an effective date."	163, 246, 296, 315, 337.
378	Introduced by Wayrynen, Lombardi, Good, Healy, Tracy, Bradford: A bill for an act entitled: "An act pertaining to the disbursement of profits by the Montana Liquor Control Board; providing an effective date and repealing clause."	163, 356.
379	Introduced by Aasheim: A bill for an act entitled: "An act relating to the regulation of the issue, sale, gift or other disposition, or use of trading stamps, as herein defined, for or with the sale or tangible personal property or services; providing for the escheat to the state of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this act; and providing remedies for the enforcement of this act and repealing all acts and parts of acts in conflict herewith."	163, 378.
380	Introduced by Johnson, Turnage, Davis, Bradford, Reardon: A bill for an act entitled: "An act to amend section 16-2417, R.C.M. 1947, relating to county officers absent from the state and containing an effective date."	163, 217, 267.
381	Introduced by Eskildsen, Wayrynen: A bill for an act entitled: "An act to provide that any beer sold to the public by a wholesaler or retailer, for consumption off the premises of such wholesaler or retailer, shall be packaged in non-breakable containers."	164, 285.
382	Introduced by Bradford, Eskildsen: A bill for an act entitled: "An act to amend section 23-1106, R.C.M. 1947, relating to names and party of candidates to be printed on ballot; section 23-2003, R.C.M. 1947, relating to the form of petition for nomination; section 23-2004, R.C.M. 1947, relating to register of candidates for nomination; sec-	

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	tion 23-2005, R.C.M. 1947, relating to the arrangement and certification of judicial candidates; section 23-2006, R.C.M. 1947, relating to primary ballots; section 23-2007, R.C.M. 1947, relating to judicial ballots repealing section 23-2012, R.C.M. 1947; and to provide that district and supreme court judges shall be nominated and elected under political party designation."	164, 392, 410, 422, 445.
383	Introduced by Sheldon, Jensen, Turnage, Zimmer, Osburnsen, Gill, Laas: A bill for an act entitled: "An act to provide monies for the rebuilding and repair of existing roadside parks and for the establishing and equipping of new roadside parks within areas of the state of Montana which have been designated as areas of high rate of unemployment or under-employment and providing that all monies expended shall be matched by accelerated public works funds available for such purposes within the designated areas."	164, 267.
384	Introduced by Keller: A bill for an act entitled: "An act to amend section 66-1315, R.C.M. 1947, to specify procedures to be followed when prosecuting a violation of the act regulating the practice of optometry."	164, 252, 282, 294, 295, 302, 548.
385	Introduced by Dykstra, Haughey: A bill for an act entitled: "An act to amend section 82-1008, Revised Codes of Montana, 1947, to provide that the state examiner shall have the authority and it shall be his duty to audit the books and accounts of fire districts in unincorporated territories, towns and villages; providing for the payment of such audit and providing that such audit shall be filed with the county clerk and recorder."	164, 217, 253, 283, 303, 305, 312, 412, 440, 441, 490, 503, SA-509, 540, 541, 584, 607.
386	Introduced by McNamer, Turnage: A bill for an act entitled: "An act to amend section 93-701-4, R.C.M. 1947, pertaining to the examination of licensed physician or surgeon in civil actions."	164, 270, 315, 337, 348, 354, 548.
387	Introduced by Keller, Swanz: A bill for an act entitled: "An act to amend section 66-1316, R.C.M. 1947, as last amended by section 6, Chapter 252, Laws of 1959, relating to the practice of the profession of Optometry."	164, 309, 324, 337, 348, 355, 542.
388	Introduced by Keller, Swanz. A bill for an act entitled: "An act amending section 66-1316, R.C.M. 1947, to delete the provision that the act regulating the practice of Optometry does not apply to Opticians."	164, 306.

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389	Introduced by Goan, East: A bill for an act entitled: "An act to amend section 84-1818, Revised Codes of Montana, 1947, relating to the refund of gasoline taxes for other than highway use; and providing that when payment has not been received by seller on gasoline delivered to a user upon which a refund is claimed that payment of the refund shall be made jointly to the seller and the purchaser."	164, 262, 305, 324, 325, 332, 497.
390	Introduced by McNamer: A bil for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded."	165, 201, 224, 247, 251, 258, 421, 441, 442, 450, 465.
391	Introduced by Haughey: A bill for an act entitled: "An act amending sections 4-330, 4-337, 4-345, 4-413, 94-35-106 and 94-35-106.2 to provide that persons eighteen years of age or older may purchase, possess, and consume beer of not more than four percent alcohol content by weight."	165, 386, 410, 422.
392	Introduced by Murray, Schye: A bill for an act entitled: "An act to amend section 45-1003, R.C.M. 1947, relating to laborers' and materialmen's liens on oil and gas wells, lease-holds and pipelines, to provide the same shall arise, be perfected, and have the same priority as materialmen's and mechanics' liens; and repealing sections 45-1004, 45-1005 and 45-1006, R.C.M. 1947."	165, 296, 315, 337, 348, 353, 609, 629, 630, 654, 687.
393	Introduced by Woodard (by request): A bill for an act entitled: "An act pertaining to the State Milk Control Board; defining the powers of the State Milk Control Board to fix distributor and dealer milk prices; and amending sections 27-401, 27-402, 27-403, 27-405, 27-406, 27-407, 27-414, 27-416, 27 418, and 27-428, R.C.M. 1947."	165, 208, 310.
394	Introduced by Judge (by request): A bill for an act entitled: "An act to provide funds for incorporated cities and towns to be used for snow removal; providing for a license fee on all motor vehicles using the highways, streets and roads of the State of Montana; providing for the rate of such tax; providing for the collection thereof by county treasurers of the respective counties; providing for the creation of a special fund under the administration of the State Highway Commission; providing for the submission of yearly estimates of funds necessary for snow removal; providing criteria to guide the highway commission	

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	in disbursal of such funds; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith."	165, 306.
395	Introduced by Hazelbaker, Dykstra, Broeder, Hibbard, Blewett: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of Article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot at the general election so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately."	165, 346, 390, 393, 401, 408.
396	Introduced by Nichols, Leuthold, Hawks, Hibbard, Dykstra: A bill for an act entitled: "An act to amend section 16-1907, R.C.M. 1947, relating to emergency budgets for counties, to provide that emergency budgets for counties of the first, second, third and fourth class shall not exceed seventy-five thousand dollars (\$75,000); and providing an effective date."	165, 217, 363, 364, 406, 415, 419, 433, 568, 614, 615, 669, 687.
397	Introduced by Nichols, Leuthold, Hawks, Hibbard, Dykstra: A bill for an act entitled: "An act authorizing boards of county commissioners to issue funding bonds to fund valid county warrants issued prior to July 1, 1963; providing the term of funding bonds; providing for public hearing; and providing an effective date."	165, 217, S-364, 406, 415, 419, 433, 568, 614, 615, 669, 687.
Sub. 397	A bill for an act entitled: "An act authorizing boards of county commissioners to issue funding bonds after July 1, 1963, to fund outstanding county warrants as of June 30, 1963; providing the term of funding bonds; providing for a public hearing; and providing an effective date."	364, 406, 415, 419, 433, 568, 614, 615, 669, 687.
398	Introduced by Johnson, Tracy, Lombardi: A bill for an act entitled: "An act to amend section 93-5816, R.C.M. 1947, relating to the exemptions of earnings of a debtor by providing that wages earned within forty-five (45) days are exempt from execution or attachment and providing a penalty for attachment or execution."	166, 285.
399	Introduced by Crum, Healy, Spahr: A bill for an	

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	act entitled: "An act to amend section 11-1932, Revised Codes of Montana, 1947, to increase the minimum compensation of firemen in cities of the first and second class."	169, 263.
400	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys for certain agencies and institutions of state government for the biennium ending June 30, 1963."	191, 204, 218, 233, 242, 349, 373, 380, 495, 518.
401	Introduced by Aasheim, Watt, Twedt: A bill for an act entitled: "An act amending sections 84-4902, 84-1901 and 75-3613, R.C.M. 1947, to increase income tax rates and to provide that seventy-five percent (75%) of all moneys received from the collection of income taxes be paid into the state public school equalization fund."	206, 211, 378, 391.
402	Introduced by Adams, Bardanouve: A bill for an act entitled: "An act appropriatng moneys to the state forester for the fiscal year ending June 30, 1963."	239, 254, 282, 294, 305, 312, 421, 464, 466, 495, 518.
403	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to provide that the boards of county commissioners who have completed the classifications and appraisals required by sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, immediately assess local taxable property in accordance with the values and classes so determined; providing that the board of county commissioners must certify their actions in relation to said classification and appraisal to the State Board of Equalization; providing that each county assessor must base his assessments of all lands, city and town lots and all improvements in his county for the year 1964 on such classification and appraisal made by the board of county commissioners; providing that the county assessors must certify their action relative to such classification and appraisal to the State Board of Equalization; providing that the boards of county commissioners who have not done so, must complete the classification and appraisals required in sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, by December 31, 1963, and shall deliver the same to the county assessor; providing for a reduction in state school equalization funds for those counties who shall fail to comply; providing for an effective date."	249, 342, 395, 415, 424, 615.
404	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 16-1904, Revised Codes of	

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	Montana, 1947, relating to hearings on county budgets, adoption of county budgets and the fixing of tax levies by providing that the total amount to be raised by tax levy in county budgets, except bond interest and sinking funds, may not in any fiscal year exceed by more than five per centum the total amount raised by the tax levy during the immediately preceeding fiscal year; and repealing all acts and parts of acts in conflict herewith." -----	249, 343, 395, 409, 415, 424, 615.
405	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 11-1406, Revised Codes of Montana, 1947, relating to hearings on, and adoption of budgets and the fixing of tax levies by cities and towns by providing that the total amount to be raised by tax levy in the budget of cities and towns, except bond interest and sinking funds, may not in any fiscal year exceed by more than five per centum the total amount raised by tax levy during the immediately preceding fiscal year; and repealing all acts and parts of acts in conflict herewith." -----	249, 343, 401, 409, 415, 424, 615.
406	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to provide that where any county has not completed the classification and appraisal program as provided in section 84-429.7, R.C.M. 1957, due to lack of funds, county commissioners may levy up to two mills (2) in the 1963-64 fiscal year to complete the program." -----	249, 344, 395, 409, 415, 424, 639, 666, 667, 671, 711.
407	Introduced by Spécial Committee on Classification and Appraisal: A bill for an act entitled: "An act empowering the State Board of Equalization to furnish to the State Board of Education annual statements showing true values and assessments for each of the counties; amending Chapter 36, Title 75, Revised Codes of Montana, 1947, by adding a new section thereto providing that the total amount apportionable from the State Public School Equalization Fund to the school districts of each county shall be equalized according to the percentage by which the state ratio of assessments to true value exceeds the county ratio of assessments to true value, or the county ratio of assessments to true value exceeds the state ratio; and repealing all acts and parts of acts in conflict herewith." -----	249, 342, 377, 390, 393, 409, 415, 425, 615.
408	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act directing the State Board of Equalization to	

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	determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization in apportioning assessments of railroad and utility properties and all other properties assessed by the state board, except net proceeds, shall reduce apportionments of such assessments to counties in which the ratio of assessments to true value is less than the state ratio, and shall increase assessments to counties whose ratios are not less than the state ratio; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments; providing that the county treasurer in such county in which the county ratio is less than the state ratio shall compute the taxes collected from mill levies on net proceeds assessments and shall remit to state treasurer for the general fund that percentage of such tax collection by which the state ratio exceeds the county ratio."	250, S-341, 395, 409, 415, 423, 615.
Sub. 408	Introduced by Committee on Judiciary: A bill for an act entitled: "An act authorizing the State Board of Equalization, commencing in 1965, to determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments, or to apportionment of railroad, airline, utility and other assessments made by the state board; providing that the county treasurer in such county which the county ratio is less than the state ratio shall compute the taxes collected from mill levies on net proceeds assessments and on apportionments of railroad, airline, utility and other assessments made by the state board and shall remit to state treasurer for the State Public School Equalization Fund that percentage of such tax collections by which the state ratio exceeds the county ratio."	341, 395, 409, 415, 423, 615.
409	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act providing for surveys to determine total true valuation of all locally assessable property; sample appraisals and sale prices as guides for determination; access to records of county assessors and opportunity to examine and discuss appraisals; annual estimates of changes in full cash value of locally assessable property, and bases for estimate; transmission of determination to county assessors; final action in equalizing assessments for local tax rolls; hearings on adjustments of assessable values; final statement as prima facie evidence of regularity of proceedings; manner of	

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	equalization of assessments of taxable property in counties; city, town, and county adjustments necessitated by increase or decrease in valuation of property on local tax rolls; extension of time for performance of act, and limitation of extensions; providing for an effective date."	250, 342, 401, 409, 415, 425, 615.
410	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property taxation; providing that all property must be assessed at the same proportion of true value; describing the methods for determining true value; defining assessed value; directing the State Board of Equalization to provide county commissioners and assessors with guides for classification and appraisal of property; amending sections 84-401, 11-1909, 16-502, 75-3724, 84-101, 84-302, 84-307, 84-308, 84-402, 84-404, 84-501, 84-503, 84-602, 84-607, 84-4605, 7-122, 84-4803, 84-4806, 84-5103, 84-5401, 84-5406, 84-6205 and 84-6404, R.C.M. 1947."	250, 339, 406, 410, 415, 426, 615.
411	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property classification and the basis for imposition of taxes upon the different classes of property and amending sections 84-302, 84-308, and 84-5103 to provide a different basis for imposition of taxes for certain classes and types of property."	250, S-356, 395, 411, 415, 422, 615.
Sub. 411	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act relating to property classification and the basis for imposition of taxes upon the different classes of property and providing a different basis for imposition of taxes for certain classes and types of property for a period of two years."	356, 395, 411, 415, 422, 615.
412	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property classification and the basis for imposition of taxes upon the different classes of property; and amending sections 84-301, 84-302, 84-308, and 84-5103, R.C.M. 1947, to provide different classification and a different basis for the imposition of taxes for certain classes and types of property."	250, 356.
413	Introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 84-708, R.C.M. 1923, sub section six (6), relating to the powers and duties of the State Board of Equalization."	251, S-340, 395, 409, 423, 639, 668, 669, 671, 711.

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Sub. 413	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 84-708, R.C.M. 1947, relating to the powers and duties of the State Board of Equalization; requiring the State Board of Equalization to call an annual meeting of all county assessors; providing for area schools for appraisers and assessors; and requiring one or more members of the State Board of Equalization to visit one fourth ($\frac{1}{4}$) of the counties of the state annually and visit each county at least once every four (4) years."	340, 395, 409, 423, 639, 668, 669, 671, 711.
414	Introduced by Haines, Asbjornson, Raundal: An act to appropriate money to the Attorney General, State Auditor, Governor, Railroad and Public Service Commission, Secretary of State, Supreme Court, and State Treasurer for operation and capital for the biennium ending June 30, 1965.	256, 267, 305, 324, 330, 333, 672, 675, 676, 679, 692, 693, 694, 695, 706, 708.
415	Introduced by Woodard, Hawks, Stranahan, Rehberg, Garrison: A bill for an act entitled: "An act to appropriate money for the purpose of acquiring, operating and maintaining a nutritional beef cattle research program at the Huntley Branch Experiment Station as a replacement program for the dairy reserach program discontinued by the Agricultural Research Service of the United States Department of Agriculture."	270, 378.
416	Introduced by Haines, Asbjornson: An act to appropriate money to the Superintendent of Public Instruction for operation, capital and grants and benefits for the biennium ending June 30, 1965.	417, S-464, 531, 558, 572, 581, 694.
Sub. 416	A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the biennium ending June 30, 1965."	464, 531, 558, 572, 581, 694.
417	Introduced by Crum, Nash, Bashor, Healy: A bill for an act entitled: "An act to appropriate money for the purchase of the John W. Beauchamp Murals of Montana History."	447, 511, 531, 558, 571.
418	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain licensing and examining boards for the biennium ending June 30, 1965."	498, 511, 536, 558, 572, 582, 673, 686, 688, 691, 712.
419	Introduced by Mathers, Eskildsen, Laas: A bill for an act antitled: "An act to appropriate money	

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	to certain state agencies for operation, capital, grants and benefits for the biennium ending June 30, 1965."	535, 554, 584, 599, 601, *02, 678, 685, SA-687, 693, 700, 713.
420	Introduced by Bashor, Beck: A bill for an act entitled: "An act to appropriate money for the Interim Committee created by the House of Representatives of the State of Montana to study and make recommendations as to the economic feasibility of creating a communal property act relating to the agricultural use and zoning of agricultural areas."	543, 565.
421	Introduced by Hibbard, Regan, Etchart: A bill for an act entitled: "An act to appropriate money to Montana State University, Montana School of Mines, Montana State College, the Agricultural Experiment Station, the Co-Operative Agricultural Extension Service, Northern Montana College, Western Montana College of Education, Eastern Montana College of Education, Western Interstate Commission for Higher Education, Office of Executive Secretary of University of Montana and the Board of Education for operation and capital for the biennium ending June 30, 1965."	552, 565, 593, 600, 601, 602, SA-677, 690, 691, 712.
422	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating money for the purchase of cumulative pocket supplements and replacement volume 6 of the Revised Code of Montana, 1947."	552, 565, 589, 611, 612, 673, 686, 688, 691, 712.
423	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for payment of claims relating to the cost of prisoner extradition, prisoner transportation, state insurance premiums and the Commission for Uniform State Laws."	552, 565, 593, 611, 612, 672, SA-675, 686, 688, 691, 712.
424	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating money for the operation of the Thirty-eighth Legislative assembly."	552, 565, 589, 611, 612, 673, 686, 688, 691, 712.
425	Introduced by Committee on appropriations: a bill for an act entitled: "An act to appropriate money to public schools for the biennium ending June 30, 1965."	552, 565, 593, 611, 612, 613, 673, 677, 678, 691, 712.

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426	Introduced by Hawks, Dykstra, Nichols, Goan, Blewett: A bill for an act entitled: "An act authorizing the State Board of Examiners to borrow up to one million dollars (\$1,000,000.00) for the reconstruction, enlargement, improvement, remodeling, repair, and furnishing of the State Capitol Building of the State of Montana at Helena, Montana; providing for the issuance of bonds, indentures and/or notes; dedicating income from Capitol Building Land Grant for repayment of loans; enumerating the power and duties of the State Board of Examiners in carrying out the provisions of this act; and providing for an effective date and a severability clause."	586, 590, 593, 611, 612, 613, 678, 685, SA-687, 693, 700, 713.
427	Introduced by Hawks, Dykstra, Nichols, Goan, Blewett: A bill for an act entitled: "An act to appropriate money to the State Board of Examiners for the reconstruction, enlargement, improvement, remodeling, repair, and furnishing of the State Capitol Building of the State of Montana at Helena, Montana; and providing an effective date."	586, 590, 593, 611, 612, 613, 678, 685, SA-688, 690, 691.
428	Introduced by Adams, Bardanouve, Jenkins: A bill for an act entitled: "An act to appropriate money to certain state agencies for operation, capitol and grants and benefits for the biennium ending June 30, 1965."	595, 604, 619, 634, 638, 648, 696, 697, 700, 701, 706, 708, 714, 715.
429	Introduced by Mathers, Adams: A bill for an act entitled: "An act to appropriate money to the State Highway Commission, the State Advertising Agency, State Parks, and Fish and Game Commission for operation and capital for the biennium ending June 30, 1965."	595, 596, 619, 621, 636, 639, 644, 651, 654, 657, 692, 696, 700, 713.
430	Introduced by Goan, Aasheim, Thompson: A bill for an act entitled: "An act to appropriate money to certain state institutions for operation and capital for the biennium ending June 30, 1965."	597, 604, 619, 634, 636, 638, 648, 679, 685, SA-689, 693, 700, 713.

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431	Introduced by Mathers, Laas: A bill for an act entitled: "An act to appropriate money to certain state agencies for operation, capital, grants and benefits for the biennium ending June 30, 1965."	597, 604, 619, 635, 638, 649, 691, 692, 693, 694, 699, 705, 708, 714, 715.
432	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating to the federal and private revenue fund, Capitol Building Account, all moneys paid into the general fund by state agencies as rent or charges for occupying office space in state buildings."	597, 604, 617, 629, 679, 685, SA-688, 690, 691, 712.
433	Introduced by Hawks: A bill for an act entitled: "An act to appropriate money to the department of public institutions for operation and capital for the biennium ending June 30, 1965."	647, 650, 656, 658, 663, 664, 691, 693, 700, 713.
434	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the State Training School and Hospital."	672, 674, 675, 677, 689, 692, 694.
436	[SIC.]	685.

HOUSE MEMORIALS

1	Introduced by Rosell, Nash, Bradford, Hanks, Hibbard, Tracy, Haughey, Wayrynen: A Memorial of the House of Representatives of the State of Montana to the President of the United States; to the Postmaster General of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana Requesting the Postmaster General of the United States to design, print and distribute a stamp in Commemoration of the Montana Territorial Centennial and the One Hundredth Anniversary of the Birth of Charles M. Russell.	552, 597.
2	Introduced by Tracy: A house memorial to the Honorable Stewart L. Udall, secretary of the interior; the Honorable Marling J. Ankeny, director of the Federal Bureau of Mines; the Honorable Senators Mike Mansfield and Lee Metcalf; the Honorable Congressmen Arnold Olsen and James Battin; the Honorable Tim Babcock, governor of the Sovereign State of Montana; the Honorable Harriet Miller, Superintendent of Schools of Montana; the Honorable Members of the Board of Education; and the Honorable Tom Collins, Director of the State Planning Board.	598.

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3	Introduced by Laas: A memorial of the House of Representatives acknowledging the recent reorganization of army reserve components and pledging its support of this program.	620.
HOUSE JOINT MEMORIALS		
1	Introduced by Jensen, Turnage, Gill, Haines, Northey, Deschamps, Lundgren: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States and the Montana Congressional delegation requesting action to place the United States lumber industry on an equitable basis with foreign competitors and require the marking of imported lumber to show the country of origin.	45, 58, 70, 72, 73, 77, 79, 201, 216, 218, 239.
2	Introduced by Jensen, Turnage, Brenner, Garrison, Schepens, Leuthold, Stranahan: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior and to the United States Bureau of Reclamation, urging passage of legislation to amend the Reclamation Act and any other laws or rules, to waive the application of the land limitation clause in the State of Montana.	72, 133, 210, 234, 260, 266, 272, 568, 620, SA-624, 671, 714.
3	Introduced by Stranahan, Asbjornson, Osburnsen: A Joint Memorial of the Senate and House of Representatives requesting that a new national park, to be named in honor of Charles M. Russell, be established along the Missouri River in Montana.	84, 119.
4	Introduced by Lucas, Mathers, Johnson, Murray: A Joint Memorial of the Senate and House of Representatives of the state of Montana to the congress of the United States; to its Montana congressional delegation; the committee on interstate and foreign commerce of the United States House of Representatives; the interstate commerce commission; the Montana board of railroad commissioners; urging and requesting that hearings on the proposed abandonment of passenger service on the Milwaukee Railroad, to be held in Montana; opposing the abandonment of passenger service on the Milwaukee Railroad.	84, 184, 254, 291, 303, 315, 371, 377, 385.

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5	Introduced by Haines, Northey, Deschamps, Flynn, Watt: A Joint Memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, opposing the breaking up of the military post at Fort Missoula, Montana.	111, 334, 358, 360, 370, 497, 540, 541, 584, 607.
6	Introduced by Keller, Seymour, Lundgren, Broeder, Murray, Schye, Swanz, Nichols, Nelson, Deschamps, Northey, Jensen, Haines, Turnage, Smiley, Thompson, Hemstad, Beck, Asbjornson: A Joint Memorial of the Senate and House of Representatives of the state of Montana to the president of the Senate and to the speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the state of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the state of Montana; to the secretary of the interior and to the United States bureau of land management urging the passage of legislation to amend the forest service act so that the counties will henceforth receive 25% of the actual gross income of the monies received from the national forests.	111, 188, 236, 267, 293, 295, 302, 412, SS-490, 510, 520, 572, 595, 607.
7	Introduced by Jensen, Schye, Spilde, Tooke, Falkenstein, Lombardi: A joint memorial of the Senate and the House of Representatives of the State of Montana, to the Congress of the United States, requesting appropriate legislation to control the reporting and forecasting of election results on election day by electronic news media.	130, 166, 173, 294, 303.
8	Introduced by Harper, O'Hair, Keller, Tooke, Welch, Mathers, Zimmer: A joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana congressional delegation, the committee on Interstate and Foreign Commerce of the United States Senate, and the Committee on Interstate and Foreign Commerce of the United States House of Representatives requesting the passage of legislation to amend 34 statutes at large 1416, codified as 45 United States Code, Section 62, relating to the hours which employees of railroads may be required to work.	137, 296, 314, 323, S-364.
9	Introduced by Stranahan, Schye, Asbjornson, McNamer, Laas: A joint memorial of the Senate and House of Representatives requesting that a new state park, to be named in honor of Charles	

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	M. Russell, be established along the Missouri River in Montana.	144, 362, 406, 412, 415, 427, 519, 607.
10	Introduced by Haughey, Dykstra, Nichols, Hibbard, Blewett, Regan, Wayrynen, Etchart, Wright, Seymour, Bashor, Eskildsen, Judge, Hazelbaker, Rosell, Murray, Lundgren, Raundel: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the president of the United States; to the Honorable Robert McNamera, Secretary of Defense of the United States and to the Honorable Fred Korth, Secretary of the Navy of the United States requesting that the Silver Service which is now on the U.S.S. Helena, which Silver Service was originally given by the people of the state of Montana to the United States Navy for the United States heavy cruiser Montana and thereafter to the U.S.S. Helena, be returned to Montana and placed in the Historical Museum until such time as the Navy has a new ship representing Montana on which such silver service may be used.	156, 189, 224, 251, 258, 413, 441, 442, 450, 490.
11	Introduced by Nichols, Hawks, Selstad, Hibbard, Mathers, Stranahan: A Joint Memorial of the Senate and House of Representatives of the State of Montana requesting that no restrictions be placed on the production or corn for silage, or the production of barley and oats in Montana.	157, 208, 209, 234, 266, 275, 280, 550, 595, 596, 630, 655.
12	Introduced by Hawks, Keller, Hazelbaker, Blewett, Wayrynen, Stranahan, Weeks, Rosell, Spahr, Regan: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Honorable Congress of the United States, to the President of the United States; to the Honorable Douglas Dillon, Secretary of the Treasury of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana requesting legislation authorizing the department of the treasury of the United States to design and mint and distribute through the State Treasury of the State of Montana five hundred thousand (500,000) silver dollars in commemoration of the Montana Territorial Centennial and Thanksgiving centennial.	157, 189, 223, 233, 234, 245, 327, 348, 355, 360, 402, 686.
13	Introduced by Garrison, Hazelbaker, Boughton, Hawks: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation, disap-	

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	proving and opposing further land acquisitions by the United States and its agencies within the State of Montana, and urging and requesting a re-examination of the Laws and policies and practices or payments in lieu of taxes by the United States and its agencies to the states and their political sub-divisions.	157, S-395, 406, 412, 415, 427, 591.
Sub. 13	Introduced by the Ways and Means Committee: A joint memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, disapproving and opposing further land acquisitions by the United States and its agencies within the state of Montana, and urging and requesting a re-examination of the laws and policies and practices by the United States and its agencies.	395, 406, 412, 414, 415, 427, 591.
14	Introduced by Flynn, Eskildsen, Twedt, Lombardi, Good, Turnage: A Joint Memorial of the Senate and House of Representatives requesting changes in federal law to protect the public against experimentation upon human beings without disclosure and permission.	160, 306.
15	Introduced by Boughton, Garrison, Smith, Lucas, Stranahan, Bailey, Etchart, Eskildsen, Bardanouve: A Joint Memorial to the Congress and Executive Branch of the Federal Government requesting that a public hearing be held in the area affected before any final decision is made to establish dams, wilderness areas, or parks.	160, 202, 335, 386, 393, 401, 409, 656, 677, 678, 691, 713.
16	Introduced by Goan: A joint memorial of the Senate and House of Representatives requesting the Congress of the United States to propose an amendment to the constitution of the United States to provide for the appointment of electors for the president and vice president on a basis similar to the election of members of Congress.	228, 379, 406, 417, 422, 437, 673.
17	Introduced by Watt, Pierce, Aasheim, Bailey: A joint memorial of the Senate and House of Representatives of the state of Montana to the President of the Senate and to the Speaker of the House of Representatives of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the state of Montana, urging passage of legislation to regulate, restrict, or prohibit the advertising of alcoholic beverages in the United States.	323, 406, 416, 445, 446, 448.
18	Introduced by Beam: A Joint Memorial of the	

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	Senate and House of Representatives requesting that Congress pass legislation which would allow each state to retain ten percent of the federal income taxes collected in that state and that this money be used for the purpose of supporting public education.	375, 391, 406, 414, 419, 435.
HOUSE JOINT RESOLUTIONS		
1	Introduced by Bardanouve, Judge, Spahr, Regan, Johnson, Davis, Kvaalen, Shelden, Lewis: A joint resolution of the Senate and the House of Representatives of the State of Montana, ratifying the proposed amendment to the Constitution of the United States relating to the qualifications of electors.	39, 73, 84, 92, 93, 99, 177, 194, 196, 218, 270.
2	Introduced by Goan, Haines, Judge: A Joint Resolution of the Senate and House of Representatives requesting a change in the federal policy of killing elk (Wapiti) in Yellowstone National Park.	48, 62, 71, 80, 81, 141, 316, 686.
3	Introduced by Watt: A joint resolution of the Senate and House of Representatives directing the Montana Highway Commission to conduct a comprehensive study of the feasibility of a multi-purpose tunnel under the continental divide.	56, 94.
4	Introduced by Bardanouve, Haughey, Hazelbaker: A joint resolution of the senate and house of representatives to move the Charles M. Russell painting in the House chambers to the Montana Veterans and Pioneers building.	111, 183, 317.
5	Introduced by Goan, Rosell, Rehberg: A joint resolution of the Senate and House of Representatives requesting and directing the superintendent of public instruction and the state board of education and board of regents of the state of Montana to establish within the public schools and colleges of the state a course of education teaching a full comparison of Americanism versus communism. ..	117, 345.
6	Introduced by Dykstra, Hibbard, Regan, Wayrynen, Kvaalen, Haughey, Lucas, Hazelbaker, Blewett, Judge, Broeder: A joint resolution of the Senate and House of Representatives recognizing the contribution of the late Governor Donald G. Nutter to the state of Montana, and designating the trophy hall in the Veterans and Pioneers Memorial building in Helena to be hereinafter known as the Donald G. Nutter Memorial Trophy Hall.	121, 189, 218, 233, 234, 244, 490, 511, 534, 656.
7	Introduced by Harper, Haines, Pierce, Goan, Hanks, Lombardi, Thompson, Smiley, O'Hair: A joint	

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	resolution of the Senate and House of Representatives requesting a thorough review of policy and procedures as affecting game management in the national parks with special emphasis on the present problem of the Yellowstone National Park elk herd.	122, 151, 183, 194, 195, 196, 348, 377, SA-382, 406, 438, 465.
8	Introduced by Watt, Haines, Thompson, Good, Lombardi, Davis, Gill, Northey, Deschamps, Murray: A joint resolution of the Senate and House of Representatives requesting the Governor to appoint a committee to study and report on the advisability of establishing summer camps for teenage youths in state forests and state parks.	152, 318.
9	Introduced by Murray: A joint resolution of the Senate and House of Representatives requesting the legislative council to conduct a comprehensive study of the statutes and practices of requiring fidelity bonds for public officials in Montana and report the findings of that study together with recommendations for improvements to the Thirtieth Legislative Assembly.	152, 306, 325, 358, 360, 370, 519, 540, 541, 584, 630.
10	Introduced by Pierce, Goan: A Joint Resolution of the Senate and House of Representatives requesting that Montana landowners and lessees when posting private property to prohibit hunting, place the name of the owner or lessee upon the notice of posting.	163, 190, 206, 216, 217, 222, 631.
11	Introduced by Tracy, Healy, Good, Lombardi, O'Hair, Sheldon, Davis, Johnson, Wayrynen, Slaby, Judge, Flynn, Harper: A Joint Resolution by the Senate and House of Representatives of the State of Montana endorsing the president's program of tax relief and urging support thereof by the Montana Congressional Delegation.	163, 395, 406, 414, 415, 441, 446.
12	Introduced by Seymour, Rosell: A Joint Resolution of the Senate and House of Representatives directing the State Board of Education, ex officio regents of the University of Montana, to conduct a study of the feasibility and desirability of changing the names of the various units of the University of Montana.	196, 361, 394, 412, 415, 427, 609, 621, SA-628, 671, 714.
13	Introduced by Goan: A joint resolution of the Senate and the House of Representatives petitioning the Congress of the United States to call a convention for the purpose of amending the Constitution to provide for the election of the presi-	

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	dent and vice president in a manner fair and just to the people of the United States unless Congress shall have sooner submitted such an amendment.	228, 379, 406, 417, 422, 436, 673, 690, 691, 713.
14	Introduced by Haines, Bardanouve: A joint resolution of the Senate and House of Representatives commending the excellent job of refurbishing the furniture of the senate and house done at Montana State Prison.	270, 374, 406, 414, 419, 434, 549, 577, 578, 595, 607.
15	Introduced by Aasheim, Bardanouve: A joint resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to develop a general plan to fairly and justly distribute the burdens of the state welfare program to each of the counties of the State of Montana and for future guidance, including necessary amendments to existing statutes and necessary amendments to the Constitution, to make specific recommendations for improvement of the welfare laws of the State of Montana and to appoint a bi-partisan task force to assist in the study and report its findings to the 39th Legislative Assembly.	278, 356, 409, 434.
16	Introduced by Special Committee on Classification and Appraisal: A joint resolution of the Senate and House of Representatives requesting that the Legislative Council study the Property Classification Laws of Montana, compare these laws with those of other states, and report its findings and recommendations, together with any necessary legislation, to the Thirty-ninth Legislative Assembly.	299, 343, 415, 426, 631, 677, 678, 691, 713.
17	Introduced by Holtz, Selstad, Hibbard, Dykstra, Schye, Jensen: A joint resolution of the Senate and House of Representatives requesting that the Legislative Council conduct a study of the feasibility of administratively consolidating the retirement systems of all public employees in Montana.	329, 374, 406, 414, 419, 435, 549, 595, 596, 630, 631, 655.
18	Introduced by Beam, Haughey: A joint resolution of the Senate and House of Representatives expressing the gratitude of all citizens to all the persons who have given so generously of their time and material means to aid and assist Rick Hutton and his parents.	329, 386, 406, 414, 419, 435, 656, 686, 688, 691, 713.
19	Introduced by Beam, Kvaalen, Smiley: A joint resolution of the Senate and House of Representatives	

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	expressing opposition to the so-called "character traits" tests given to school children.	337, 391, 406, 414, 419.
20	Introduced by Judge: A joint resolution of the Senate and House of Representatives directing the legislative council to conduct a study of the organizations of the various state agencies in Montana concerned with the economic development and attraction of industry to the state.	386, 631.
21	Introduced by Special Committee on Classification and Appraisal: A joint resolution of the Senate and House of Representatives directing the state board of equalization to report to the Thirty-ninth Legislative Assembly the status of the reclassification and reappraisal program, the status of property tax equalization, and its recommendations for any further legislation, and requesting the assistance of the legislative council in the preparation of such legislation.	392, 399, 406, 409, 415, 426, 656, 677, 678, 691, 713.
22	Introduced by Rosell, Nash, Bashor, Haines, Tracy, Rehberg, Spahr, Eskildsen, Smith, Garrison, Mathers, Wright, Wayrynen, Tooke, Schye: A joint resolution of the Senate and House of Representatives for the appointment of an interim air pollution investigating committee to study the nature, character and extent of air pollution in the state of Montana and in the various communities in the state of Montana and to report to the Thirty-ninth Legislative Assembly.	392, 402, 407, 421, 442, 444, 568, 614, 669, 687.

HOUSE RESOLUTIONS

- 1 That Joint Rule of the Senate and House No. 20 be amended to read as follows: "No. 20 Form of Bills—Bills, Joint Resolutions and Joint Memorials introduced shall be typewritten on paper eight and one-half by thirteen inches with numbered lines, and shall be quadruplicate. Pica or Elite type and a good black ribbon must be used. All Bills, Joint Resolutions and Joint Memorials introduced shall be numbered at the foot of each page and shall have white covers of a substantial material. Bills proposing amendments to existing statutes shall indicate the matter to be stricken out with a line through the words or part to be deleted, and all new matter with underscoring of the part inserted. No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall contain more than one subject, which shall be clearly expressed in the title; and no bill shall be so altered or amended on its passage through either House as to change its original purpose. The enacting clause of every bill

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	shall be as follows: 'Be It Enacted by the Legislative Assembly of the State of Montana'."	143, 150, 151.
2	Introduced by Murray, Bradford: A resolution by the House of Representatives of the State of Montana requesting the Governor to appoint a committee to study the Montana Business Corporation Code and to develop ways and means whereby a model Business Corporation Law can be drafted. ..	152, 181.
3	Introduced by Haines, Goan: A resolution of the House of Representatives of the Thirty-eighth Legislative Assembly of the state of Montana directing that the state purchasing agent purchase a new roll call voting machine from a different manufacturer and of a different make and model; that the contract for the servicing and maintaining of the present roll call voting machine be terminated and the machine removed forthwith; that there be deducted from any amounts due to the person, firm or corporation presently responsible for servicing and maintaining the present voting machine certain amounts for each day during this thirty eighth legislative assembly said roll call voting machine has failed to function or has malfunctioned.	220.
4	Introduced by Wayrynen, Eskildsen, Harper, Shelden, Healy, Twedt, Bardanouve, Hanks, Lombardi: A resolution of the House of Representatives of the 38th Legislative Assembly of the State of Montana directing the State Board of Examiners, the controlling agency of the electric voting machines of the house, to enter into a maintenance contract with the International Roll Call Corporation for the maintaining of the electric voting machines in the House of Representatives, and that the House of Representatives further check information in House Resolution No. 3 that was erroneous, and have it corrected.	304.
5	Introduced by Blewett: That House Bill No. 282 be printed in ten (10) point type single spaced on pages six inches by nine inches, side stitched and with pasted cover.	357.
6	House Resolution see page	466.
7	Introduced by McNamer: A resolution of the House of Representatives requesting that the Legislative Council prepare an index of bills introduced in the Montana Legislative Assembly.	466, 630.
8	Introduced by Blewett: That Joint Rules of House of Representatives and Senate be amended by adding Joint Rule No. 25 to read as follows: "No. 25. House and Senate Amendments—Rule 36, Section 3 of the House of Representatives and Rule X, Section 2 of the Senate shall not apply to amendments proposed by the opposite House or by a Conference Committee."	492.
9	Introduced by Beck, Schye, Lewis, Egan, Asbjorn-	

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	son, Stranahan, Cummings, Hemstad, Laas: A resolution of the House of Representatives of the State of Montana; to the Honorable Tim Babcock, Governor of the State of Montana; to the Department of Agriculture, Labor and Industry; to the Commissioner of Agriculture, Labor and Industry; providing for a study by special committee of the House of Representatives of the State of Montana, to investigate the colonization of agricultural land by persons having no individual personal ownership or rights of property ownership in such lands, but constituting a society in which each member shares in a distribution of the profits or benefits from the colony according to his needs, and to provide for the report of said investigation by the committee appointed by the House of Representatives of the State of Montana for the use and guidance of the Thirty-ninth Legislative Assembly of the State of Montana; and to provide for a thorough study and recommendation of the economic feasibility of creating a communal property act relating to the agricultural use and zoning of agricultural areas which may be used for the creation or maintenance of communal colonies.	525, 537.
10	Introduced by Bardanouve: A resolution of the House of Representatives requesting that the Legislative Council study the operations, personnel system, and administration of the Montana Liquor Control Act and submit a written report of its findings to the Thirty-ninth Legislative Assembly.	538.
11	Introduced by Wayrynen, Judge: A resolution of the House of Representatives having for its object the providing of more extensive and more generally available free education to retired and aged persons of the State of Montana, and for such facilities to be available during the daylight hours for the greater convenience and safety in travel of such persons; and that a copy of this resolution be forwarded to the Honorable Tim Babcock, Governor of the State of Montana, and to the Montana Board of Education.	550.
12	Introduced by Blewett: That Rule 34, "Form of Bills" on page 37 of the Rules of the House of Representatives be amended as follows: By deleting all of the words in line 7, page 37, beginning with the word "All" and ending on page 38, line 2. with the words "(matter deleted)". and inserting in lieu thereof: "Bills, joint resolutions and joint memorials introduced shall be typewritten on paper eight and one-half by thirteen inches with numbered lines, and shall be in quadruplicate. Pica or elite type and a good black ribbon must be used. All bills, joint resolutions and joint memorials introduced shall be numbered at the foot of each page and shall have white covers of a substantial material. Bills proposing amendments	

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	to existing statutes shall indicate the matter to be stricken out with a line through the words or part to be deleted, and all new matter with underscoring of the part inserted."	551.
13	Introduced by Adams, Garrison: A resolution of the House of Representatives of the State of Montana requesting the Montana Fish and Game Commission and other state agencies to exercise care in land acquisitions to avoid unnecessary economic impact on individual counties.	576.
14	Introduced by Blewett: That Rule 47, "Transmission of Bills to Senate" on pages 42 and 43 of the Rules of the House of Representatives be amended as follows: By deleting the figures and letters "57th" and inserting in lieu thereof the figures and letters "55th".	577.
15	Introduced by Haines, Bardanouve: A resolution of the House of Representatives requesting that the Legislative Council study the present system of rentals paid by departments of state government and report its findings, together with recommendations to improve the system, to the Thirty-ninth Legislative Assembly.	578.
16	Introduced by Wayrynen, Seymour, Pierce, Hazelbaker: A resolution of the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana to the Honorable Stewart Udall, Secretary of the Interior, the Director of the Federal Fish and Wildlife Service and the Fish and Game Commission of the State of Montana requesting that the entire State of Montana be placed in the Pacific Flyway for the hunting of migratory game birds.	585.
17	Introduced by Judge, Blewett, Wayrynen: A resolution of the House of Representatives commending Helena Senior High School on their production of "Dawn Yankees" and thanking the high school for the hospitality extended to members of the Montana Legislative Assembly.	591.
18	Introduced by Blewett: That Joint Rules of House of Representatives and Senate be amended by adding Joint Rule No. 26 to read as follows: "Rule No. 26. Amendments by one house to a bill originating in the other house shall not be further amended by the originating house. For the purpose of this rule, a substitute bill of one house for a bill originating in the other house shall be deemed an amendment."	592.
19	Introduced by Haines, Bardanouve: A resolution of the House of Representatives requesting that the Secretary of State investigate alternative means of providing adequate protection for the original constitution of the State of Montana together	

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	with the estimated costs and report his findings to the Thirty-ninth Legislative Assembly.	641.
20	Introduced by Bashor, Keller: A resolution of the House of Representatives for the appointment of an interim committee to study the economic condition of the oil and gas producing industry of Montana and to report its findings to the Thirty-Ninth Legislative Assembly.	642.
21	Introduced by Committee on Appropriations: A resolution of the House of Representatives requesting that the Department of Administration revalue and increase, where necessary, the rentals and charges paid by Departments of State Government occupying office space in state buildings, and study the space needs and rentals paid by all state agencies in the Helena area.	642.
22	Introduced by Judge: A resolution of the House of Representatives directing the Legislative Council to conduct a study of the organization of the various state agencies in Montana concerned with the economic development and attraction of industry to the state.	646.
23	Introduced by Aasheim, Thompson, Bardanoue: A resolution of the House of Representatives requesting that the Legislative Council undertake a limited recodification of the School Laws of the State.	650.
24	Introduced by Harper, Shelden, Lombardi, Flynn, Tracy, Judge. A resolution of the House of Representatives of the Thirty-Eighth Legislative Assembly of the State of Montana directing the Montana State Unemployment Compensation Commission to cooperate fully with a group of six (6) men, three (3) men from labor and three (3) men from management, to study the unemployment laws of Montana and other states; said group to serve without compensation and present to the members of the Thirty-ninth Legislative Assembly a program, plan and proposed bill on unemployment benefits by not later than December 1, 1964; copies of this resolution to go to certain persons; authorizing chairman of the Montana Unemployment Compensation Commission to request the major labor and management organizations to submit the names of at least five (5) men to represent labor and of at least five (5) men to represent management within sixty (60) days after passage of the resolution; chairman of Unemployment Compensation Commission to then appoint three (3) men from each organization to committee.	661.
25	Introduced by Beck, Bashor, Reinecke, Stranahan, Turnage:	667.
26	Introduced by Watt, Eskildsen, Schepens, Cum-	

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	mings, Davis, Welch, Shelden, Bradford, Harper O'Hair, Twedt, Johnson: A resolution of the House of Representatives commending the Department of Public Instruction on the superior manner in which it is serving the interests of education in Montana.	668.
27	Introduced by Haughey, Bardanouve, Pierce, Goan, Rehberg, Rosell, Beam, Crum, McNamer, Woodard: A resolution of the House of Representatives of the State of Montana requesting the State Department of Lands and Investments to make an inventory of state lands and requesting the Governor to appoint a state land use policy committee to make a comprehensive analysis of state policy with respect to the ownership and management of state lands and to consider the desirability of exchanging and consolidating lands, selling lands, and amending investment laws and regulations, and the adequacy of statutes and regulations concerning sale of lands and leasing of minerals.	679.
28	Introduced by Crum, Goan, Boughton, Rosell, Smiley, Selstad, Rehberg, Woodard, East, Tooke, Wright, Smith, Hawks, Leuthold, Reinecke, Nash, Falkenstern: A resolution of the House of Representatives of the State of Montana directing the Board of Regents of the University System of Montana to investigate the extent of the philosophy among faculty members that the free enterprise system is a fallacy and American Individualism is an historical myth.	684, 689, 697.

SENATE JOINT MEMORIALS

1	Introduced by Siderius, McKenna, Mahoney, Dusault, Hauk, Moberly, Breen: A joint memorial of the House of Representatives and the Senate of the state of Montana to the Interstate Commerce Commission; urging that the economic interests of the state of Montana be protected by Interstate Commerce Commission action preserving the present competitive rail freight rate structure applying to westbound shipments of grain from the state of Montana and urging administrative and congressional action to insure freedom from arbitrary efforts by barge carriers and other unregulated carriers to force upon Montana shippers artificial and unjust levels of freight rates.	167, 168, 195, 203, 207, 226.
2	Introduced by Edwards, Nixon, Shaw, McDonnell, Moritz, Cole, Thomas, McGowan, Ullom: A joint memorial to the Congress and Executive branch of the Federal Government requesting that a public hearing be held in the area affected before any final decision is made to establish dams, wilderness areas, wild life game refuges, migratory bird refuges, or parks.	204, 206, 319.

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3	Introduced by Gerard, Brenner, Balgord, McGowan, McElwain: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the State of Montana; to the Secretary of the Interior and to the United States bureau of Reclamation, urging the passage of legislation to amend the Reclamation Act and any other laws or rules, to waive the application of the land limitation clause in the area above Canyon Ferry Dam in the State of Montana.	328, 329, 454, 495, 501, 616.
4	Introduced by McElwain: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States; to the President of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; and to the Secretary of the Treasury of the United States; urging passage of legislation to authorize and allow the various states to impose taxes on national banks doing business in the state seeking such taxation; and to waive the immunity of national banks to state taxation at least to the extent that state banks are taxed in such state or states.	238, 240, 451.
5	Introduced by Grieve, Stein, Bovey, Beley, McDonnell: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation, and the Bureau of Public Roads, Department of Commerce of the United States of America requesting that the United States of America through the Bureau of Public Roads, Department of Commerce participate in the cost as authorized by the laws of the United States, in the replacement of adequate pipes underneath any state federal aided highway or interstate highway used for irrigation, and the replacement of other irrigation facilities destroyed or disturbed by the construction of said highways.	238, 240, 455, 495, 502, 593.
6	Introduced by Bentz, Michels, Huntley, Moritz, Nees, Anderson, Breen, Shaw, Grieve, Melcher, DeWolfe, Carney, MacDonald, Hauk, Keller, Moberly, Rieder, Nixon: A joint memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, to the United States secretary of commerce and to the	

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	federal bureau of public roads administrator, urging that necessary steps be taken to introduce legislation to amend a federal law relating to highways, to permit a state to build additional primary system mileage when seventy-five (75) per cent of a state's primary system is completed and maintained, instead of ninety (90) per cent as presently required.	366, 367, 455, 503, 506, 593.
7	Introduced by DeWolfe, Nixon, Graham, Mahoney, Michels, Schoonover, Goodwin, Melcher, Nees, Rieder, Grieve, McDonnell, Hafferman, Beley: A joint memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation and to the Honorable Secretary of the Interior of the United States, urging that action be taken by the United States to implement the provisions of chapter 104, Montana Session Laws of 1959, to enable the beneficiaries of that legislation to obtain the benefits intended thereby.	288, 289, 420, 453, 461, 523.
8	Introduced by Gerard, Brenner, Schoonover, Lehrkind: A joint memorial of the Senate and House of Representatives requesting restrictions on the use of motor vehicles on public lands located in Montana.	328, 329.
9	Introduced by Hauk, Nixon, Groff, Stein, Melcher, Michels, Siderius, Nees, Carney, Schoonover, DeWolfe, O'Neill, Thiessen, Huntley, Cotton, Goodwin, Beley, Hafferman, Graham, Cook, Jensen, McKenna, Mahoney, Cumming, Durkee, Reardon, Keller, MacDonald, Rostad, Thomas, Ullom, James, Moritz, Lehrkind, Balford, Dussault, Shaw: A joint memorial of the Senate and House of Representatives requesting that the federal portion of cost on federal aid primary highways and secondary highways be increased from about fifty-seven percent to seventy percent.	380, 382, 455, 503, 506, 593.
SENATE JOINT RESOLUTIONS		
1	Introduced by Cashmore: A joint resolution of the Senate and House of Representatives requesting the State Laboratory Commission to designate the building now known as the State Laboratory Building as the W. F. Cogswell Building in honor of that Montana medical pioneer.	90, 91, 189, 203, 207, 226.
2	Introduced by Cashmore, James: A Joint Resolution of the Senate and House of Representatives complimenting the governor's domestic relations committee for their excellent work and expressing the gratitude of the Montana Legislative Assembly to the members of that committee.	74, 106, 118, 123, 196.

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5	Introduced by Dussault, Cook, Cumming, Cashmore: A joint resolution of the Senate and House of Representatives requesting the high schools of Montana to offer a course in family responsibility.	391, 392, 524.
6	Introduced by Nixon, Thiessen, Cook, Ullom, McDonnell, Groff, Dussault, Gerard, Edwards, Cashmore, Nees, Grieve: A joint resolution of the Senate and House of Representatives of the State of Montana inviting the Boy Scouts of America to hold and conduct its National Boy Scout Jamboree in 1968 on the eastern border of Glacier National Park near East Glacier, Montana.	204, 206, 496, 510, 521, 616.
8	Introduced by Brenner, Groff, Melcher, Dussault, Mackay, Durkee, Rostad: A joint resolution of the Senate and House of Representatives directing the Legislative Council to conduct a study of state investments and depository practices.	380, 382, 419, 453, 461, 523, 631.
Sub. 9	Introduced by Highways and Transportation Committee: A joint resolution of the Senate and House of Representatives relating to the routing of interstate highway 15 and the public hearings held in selecting such route.	S-366, 367, 644.
10	Introduced by Moberly, Bentz, Breen, Siderius: A joint resolution of the Senate and House of Representatives supporting continued operation of the Montana Soldiers' Home at Columbia Falls, and requesting studies and recommendation for a long range plan for future needs.	397, 398, 456, 503, 507, 593.
11	Introduced by McGowan, Huntley, Groff, Gerard, Moberly, Breen, Balgord, Siderius, Schoonover, Dussault: A joint resolution of the Senate and House of Representatives directing the legislative council to study and report the best methods to be followed to achieve cooperative action by state, and local agencies or other entities of government in the full development and utilization of our water and other resources and related lands.	288, 290, 496, 522, 526, 616, 631.
12	Introduced by Groff, Beley, Dussault, Schoonover, McKeon, Balgord, Hilling, O'Neill: A Joint Resolution of the Senate and House of Representatives directing the State Water Conservation Board to transfer administrative control of Dead Man's Basin and the Painted Rocks Reservoir to the Highway Commission for development of state parks or recreation areas.	238, 240, 451, 468, 498, 593, 631.
13	Introduced by Carney, Grieve, Brenner, McGowan: A joint resolution of the Senate and House of Representatives directing the State Board of	

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	Land Commissioners to equalize the amount of state land in the various counties of this state.	328, 329, 469, 503, 505, 522, 525, 552, 553, 583, 588, 677.
14	Introduced by Hauk, Carney, Nees, Moberly, Breen, Melcher, Siderius, Rieder, Huntley, McElwain, Grieve: A joint resolution requesting the state highway commission to cooperate with the counties and cities in adopting a uniform manual for signs and traffic devices throughout the state.	319, 321, 451.
15	Introduced by Whole Senate Body: A joint resolution of the Senate and House of Representatives petitioning Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.	349, 352, 455, 503, 522, 526, 616.
16	Introduced by Durkee, MacDonald, Groff: A joint resolution of the Senate and House of Representatives requesting the legislative council to study the rules of the House and Senate.	397, 399, 439, 453, 462, 523.
SENATE RESOLUTIONS		
10	[Reference only.]	631.
13	[Reference only.]	631.
19	[Reference only.]	494.
22	[Reference only.]	608.

INDEX TO SENATE BILLS

Bold face figures refer to roll call on third reading. Thus: **300**.

No.	Title of Bill	
1	Introduced by Melcher, Graham, Hilling: A bill for an act entitled: "An act amending sections 75-4146 and 75-4230, R.C.M. 1947, relating to the attendance of a high school pupil outside the county of his residence."	74, 119, 132, 150, 169, 196.
	Senate Bill No. 2	
3	Introduced by Cashmore, Reider, Dussault, McDonnell, Mackay, O'Neill, Goodwin, James, Balgord: A bill for an act entitled: "An act relating to the management and control of the State Soldiers Home, State Hospital, State Prison, State Tuberculosis Sanitarium, Home for Senile Men and Women, State Industrial School, State Training School and Hospital, Montana Children's Center, and State Vocational School for Girls; abolishing the Board of Commissioners for the Insane and various executive boards, boards of trustees, and boards of managers of such institutions; vesting control and management of such institutions in a State Department of Public Institutions; generally revising chapters of the code relating to such institutions; amending sections 80-302, 80-308, 80-310, 80-311, 80-313, 80-316, 80-322, 38-102, 38-104, 38-107, 38-108, 38-109, 38-110, 38-119, 38-207, 38-502, 38-504, 38-505, 38-702, 38-1002, 80-702, 80-703, 80-704, 80-705, 80-707, 80-707.1, enacted as section 1, chapter 242, Laws of 1959, 80-707.5, enacted as section 5, chapter 242, Laws of 1959, 80-711, 80-719, 80-720, 80-731, 80-732, 80-738, 80-740, 80-743, 80-745, 80-206, 80-207, 80-209, 80-210.1, 80-211, 80-212, 80-213, 38-802, 38-804, 38-805, 38-1101, 38-1108, 80-806, 80-809, 80-818, 80-819, 80-820, 80-902, 80-911, 80-922, 80-923, 80-924, 10-101, 10-105, 10-110, 10-112, 10-113, 10-114, 10-118, 10-120, 10-121, 75-301, 75-302, 75-303, 80-1101, R.C.M. 1947; and repealing sections 80-301, 80-304, 80-305, 80-306, 80-307, 80-309, 80-312, 80-314, 80-315, 80-317, 80-318, 80-319, 80-321, 38-103, 38-105, 38-106, 38-111, 38-901, 38-902, 80-706, 80-716, 80-717, 80-718, 80-735, 80-736, 80-737, 80-744, 80-747, 80-749, 80-202, 80-203, 80-204, 80-205, 80-208, 80-214, 80-216, 80-217, 38-801, 38-803, 38-817, 38-818, 80-801, 80-802, 80-803, 80-804, 80-805, 80-805.1, 80-808, 80-810, 80-812, 80-813, 80-814, 80-825, 80-826, 80-827, 80-901, 80-904, 80-906, 80-907, 80-908, 80-909, 80-910, 80-912, 80-913, 80-914, 80-916, 80-917, 80-930, 10-103, 10-104, 10-106, 10-107, 10-108, 10-109, 10-115, 10-116, 10-117, 75-312, R.C.M. 1947."	349, 350, 558, 589, 593, 632, 633, 634, 637, 689.
5	Introduced by Dussault, Schoonover, Mahoney, Jen-	

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	sen: A bill for an act entitled: "An act to amend section 93-302, R.C.M. 1947, to increase the number of district judges in the Fourth Judicial District from two to three."	201, 202, 535, 605, 611, 621, 677.
6	Introduced by Dussault: A bill for an act entitled: "An act requiring submission of vital statistics information by clerks of the district courts at time of entry of decree of divorce or annulment and providing for transmittal of such information to the state registrar of vital statistics."	198, 451, 468, 499, 593.
8	Introduced by Melcher, Brenner, Dussault, James, Durkee, Mackay, Groff: A bill for an act entitled: "The Legislative Audit Act' creating a legislative audit committee and the office of legislative auditor and providing for the audit of state agencies by the legislative auditor; Amending sections 82-1002, 82-1005, 82-1007, 82-1009, 82-110, 71-206, 4-347, 4-320, 4-231 and 5-910, R.C.M. 1947; Repealing sections 82-1014, 82-1015, 82-1016, 79-504, 84-4403, 84-4404, 84-4405, 89-403, R.C.M. 1947."	219, 221, 524, 542, 555, 556, 590.
Sub. 9	Introduced by Committee on Judiciary: A bill for an act entitled: "An act amending Section 93-901, R.C.M. 1947, relating to the disqualification of judicial officers."	S-319, 320, 417, 452, 460, 523.
10	Introduced by Brenner, Mackay, James, Dussault, Rostad: A bill for an act entitled: "The Department of Administration Act' creating a department of administration with duties and powers in the areas of accounting, purchasing, budgeting, planning and construction of state buildings, records management, maintenance and custody of capital building, and general services; abolishing the state records committee, the state laboratory commission, the veterans' memorial fund commission, the state furnishing board, and the office of capital custodian; amending sections 26-103, 75-210, 75-310, 77-417, 77-419, 78-202, 78-302, 79-1012, 82-109.2, 82-308 and 82-3205, R.C.M. 1947; repealing sections 78-101 through 78-109, 78-201, 78-203 through 78-208, 78-210, 78-211, 78-301, 78-303 through 78-308, 78-401, through 78-416, 78-601 through 78-620, 78-701 through 78-736, 78-801 through 78-818, 78-901 through 78-909, 82-1125, 82-1132, 82-1134, 82-1601 through 82-1606, and 82-3201 through 82-3204, R.C.M. 1947."	396, 397, 562, 594, 598, 632, 633, 634, 652, 674.
15	Introduced by Shaw, Grieve, Keller: A bill for an act entitled: "An act to amend section 81-304, Revised Codes of Montana, 1947, pertaining to exchange of state lands by allowing exchange of state lands wherever situated."	90, 91, 419.

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16	Introduced by Nixon: A bill for an act entitled: "An act to amend Section 11-726, R.C.M. 1947, by increasing the salaries of police judges in cities of the second and third classes."	396, 397, 455, 495.
17	Introduced by Groff, Lehrkind, Dussault, Beley: A bill for an act entitled: "An act establishing a state system of higher education; designating the names of the component units; specifying the titles of the chief administrative officers of the component units; defining the powers and duties of the chief administrative officers of the component units; vesting general control in the board of regents; and repealing sections 75-401, 75-402, 75-402.1, 75-403, and 75-408, R.C.M. 1947; providing an effective date."	396, 397, 438, 455.
18	Introduced by Grieve, McDonnell, Manning, Nixon, Shaw, Dussault: A bill for an act entitled: "An act permitting the creation of professional service corporations, and amending sections 15-103 and 15-104, R.C.M. 1947."	204, 205, 451, 468, 499, 616.
20	Introduced by Groff, Brenner, Cotton: A bill for an act entitled: "An act making certain changes in the general administration of providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools by amending sections 75-1713.1, 75-1723, 75-1816, 75-3611, 75-3612, 75-3616, 75-3617, 75-3618, 75-3619, 71-3706, 75-3722, 75-3801, 75-4230, 75-4516.1 and 75-4518.1, R.C.M. 1947, relating to changes in budget by budget board when in excess of foundation program—restrictions on budgets, fixing tax levy, determination of levy in joint school districts, definitions—schedules of financial program, foundation program, distribution of funds—reports may be required, application for approval as isolated schools, distribution of money available to school districts—formula for apportionment of county funds, formula for distribution of state funds, common school levy, duties of county treasurer, district schools taxes—election, attendance outside of county of pupil's residence, levy of taxes, reduction in budget by budget board—allowance of additional expenses over foundation program; and by repealing sections 75-4507, 75-4508, 75-4509 and 75-4510, R.C.M. 1947, relating to state superintendent to give notice if state fund inadequate, resolution to issue warrants—hearing, authorization to issue warrants, method of payment of warrants, increase of budgets for high schools—when authorized, special tax levy—rate, application of act and construction of act."	269, 270, 470, 477, 503, 511, 522, 530, 575, 579, 701, 705, 710.
21	Introduced by Carney, Shaw, McKenna: A bill for	

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	an act entitled: "An act amending section 43-310, R.C.M. 1947, to provide for an increase in the mileage payments to members of the Legislative Assembly."	90, 91, 173, 187, 192, 226.
22	Introduced by Hauk, Thiessen, Schoonover, Nees: A bill for an act entitled: "An act to provide that it shall be illegal for any person to hunt any wildlife during the hours of sunset and sunrise with the use of artificial light."	204, 205, 291, 294, 566, 583, 589, 593, 618, 619, 670, 685.
24	Introduced by Cumming, McKeon, Durkee, McElwain, Huntley: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of justice of the peace courts, police courts and municipal courts by deleting certain specific references to such courts in the constitution by amending sections 8 and 23, article III and sections 1 and 34, article VIII and by repealing sections 20, 21, 22, 23 and 24, article VIII."	349, 351, 420, 441, 462, 500.
25	Introduced by Stein, Jensen, Dussault, Mahoney, Huntley, Gerard, Shaw, Moritz, Beley: A bill for an act entitled: "An act to require a true, plain and impartial statement of the meaning and purpose of any referendum, initiative or constitutional amendment submitted to the vote of the people of the state of Montana and repealing all acts and parts of acts in conflict therewith."	100, 102, 119, 132, 139, 196.
26	Introduced by McElwain: A bill for an act entitled: "An act to amend section 93-902, R.C.M. 1947, to prohibit any justice or judge of a court of record from acting as an administrator or executor in any estate, for compensation."	100, 102, 115, 132, 139, 196, 499.
28	Introduced by McKeon, Reardon: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one (1) over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict therewith; and providing for an effective date."	403, 553.
30	Introduced by Schoonover, Ullom, McKeon, Hauk, Siderius: A bill for an act entitled: "An act to amend sections 69-3502 and 69-3505, Revised Codes of Montana, 1947, relating to motorboat	

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	and vessel regulation. Providing for an effective date."	238, 240, 538, 606, 611, 621, 677.
31	Introduced by McKeon: A bill for an act entitled: "An act to amend section 94-2505, Revised Codes of Montana, 1947, relating to the punishment for murder in the first degree."	204, 205, 469.
33	Introduced by Schoonover, Siderius, Ullom: A bill for an act entitled: "An act relating to the nursing practice act, increasing fees for license and renewal of license for professional registered nurses and licensed practical nurses; amending sections 66-1228, 66 1234, and 66-1236, R.C.M. 1947."	219, 221, 533, 556, 573, 594, 598, 651.
34	Introduced by Schoonover, Siderius, Ullom: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities; establishing procedures for developing employment standards; providing bargaining machinery and fact finding provisions."	319, 320, 615, 653.
35	Introduced by Gerard: A bill for an act entitled: "An act to amend section 75-4230, R.C.M. 1947, to provide that any time an inmate of the Montana children's center attends the public high school in Twin Bridges, the latter school shall be reimbursed from the state public school equalization fund at the rate of five hundred dollars (\$500.00)."	167, 168, 496, 510, 521, 615.
36	Introduced by Cook, Hauk, Graham, Schoonover, Huntley, McKeon, Durkee, Melcher, McDonnell, Gerard, Breen, Rieder: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and containing an expiration date."	142, 143, 316, 337, 358, 376, 390, 412, 414, 449, 452, 453, 463, 467, 593.
37	Introduced by Groff, Hauk, Brenner: A bill for an act entitled: "An act to amend section 16-1015, R.C.M. 1947, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; and provid-	

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	ing for an additional levy of four (4) mills for a prescribed period."	116, 195, 203, 207, 226.
39	Introduced by Rieder: A bill for an act entitled: "An act to amend Section 94-3579, Revised Codes of Montana, 1947, relating to use of firearms by children under the age of fourteen years."	142, 143, 456, 503, 506, 593.
Sub. 40	Introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 46-906, R.C.M. 1947, relating to definitions; to amend Section 46-908, R.C.M. 1947, relating to application for certificate to operate livestock market by providing that applicant not be required to show public convenience and necessity for such market if proposed site is seventy-two (72) miles from established market and within five (5) miles of an incorporated city or town; to amend Section 46-909, R.C.M. 1947, relating to hearing and procedure and issuance of certificates by providing that certificate may be issued to applicant if site of proposed livestock market is seventy-two (72) miles from established market and within five (5) miles of an incorporated city or town; and providing an effective date."	396, 397, 524.
41	Introduced by Groff, McGowan, Cumming, MacDonald, Dussault, Balgord, Brenner: A bill for an act entitled: "An act to amend articles VI and XI of section 89-3201, R.C.M. 1947, relating to the Columbia Interstate Compact."	201, 202, 596, 600, 601, 651.
42	Introduced by Durkee, McKeon: A bill for an act entitled: "An act amending section 59-538, R.C.M. 1947, to increase the per diem of persons engaged in state service."	269, 271, 419.
43	Introduced by Durkee, Dussault, Reardon: A bill for an act entitled: "An act to abolish local executive boards for the units of the University of Montana by amending Sections 75-302, 75-602, 75-902, 75-1003, 75-1103, R.C.M. 1947, and repealing Section 75-905, R.C.M. 1947."	396, 398, 454.
Sub. 45	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to establish the policy of the state of Montana on protection of fishing streams; providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana fish and game commission and for review of such plans; and providing for arbitration of disagreements between the fish and game commission and the agency proposing such projects."	396, 398, 566, 575, 594, 597, 600, 601, 618, 639, 661, 689.
47	Introduced by Hafferman, McDonnell, DeWolfe,	

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	Beley: A bill for an act entitled: "An act to amend section 5-1028, R.C.M. 1947, prohibiting branch banking and providing for drive-in and walk-up facilities."	177, 218, 233, 241, 282.
48	Introduced by McDonnell, DeWolfe, Balgord, Hafferman, Beley: A bill for an act entitled: "An act to amend section 16-2618, R.C.M. 1947, relating to deposit of public funds by county, city and town treasurers, and providing for the substitution of securities pledged for the security of such deposits."	177, 219, 233, 241, 282.
49	Introduced by Beley, Hafferman, McDonnell: A bill for an act entitled: "An act to establish legal capacity and obligation of minors in contracting to borrow money to finance education beyond high school."	142, 144, 200, 217, 221, 226.
50	Introduced by McDonnell, DeWolfe, Balgord, Hafferman, Beley: A bill for an act entitled: "An act to amend section 79-301, R.C.M. 1947, relating to deposit of funds in the hands of the State Treasurer and providing for the substitution of the securities pledged for the security of such deposits."	130, 133, 189, 203, 207, 226.
51	Introduced by Cashmore: A bill for an act entitled: "An act to amend section 11-986, R.C.M. 1947, providing for the acquisition of landing fields or parking areas for aircraft, lots or lands for parking areas for automobiles within the corporate limits of municipalities, and deleting therefrom the prohibition against municipalities erecting structures on lots or lands for the purpose of parking automobiles within municipalities."	143, 144, 227, 247, 256.
52	Introduced by Mackay, Bovey, Gerard: A bill for an act entitled: "An act continuing and perpetuating the Montana historical society and prescribing the powers and duties of the board of trustees of the society; abolishing the Montana fine arts' commission; and repealing sections 44-501, 44-502, 44-503, 44-504, 44-505, 44-506, 44-507, 44-508, 44-509, 44-510, 44-511, 44-512, 44-513, 44-514, 44-515, 19-119, 19-120, and 19-121, R.C.M. 1947."	177, 178, 267, 294, 300, 361.
53	Introduced by Cumming, Durkee, Groff, Mahoney: A bill for an act entitled: "An act to amend section 23-505, R.C.M. 1947, by providing for designation of precinct committeemen and committeewomen as deputy registrars in the precincts in which they reside, and providing for compensation and duties for such deputy registrars."	167, 168, 379, 412, 414, 452, 458, 494.

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54	Introduced by Rieder: A bill for an act entitled: "An act amending section 28-105, R.C.M. 1947, to require that before a forest fire protection district may be created a hearing shall be held after notice given to all owners to be affected and to require approval thereof by no less than 75% of the owners representing at least 51% of the acreage included in the proposed district; and providing an effective date."	227, 228, 347, 377, 390, 412, 414, 449, 453, 458, 523.
55	Introduced by McDonnell, Dussault: A bill for an act entitled: "An act to amend section 89-1001, R.C.M. 1947, to provide that a water commissioner shall be appointed to distribute decreed water rights by application of five per cent (5%) of the owners of the water rights affected."	177, 178, 454, 458, 492, 573, 594, 598, 605, 677.
56	Introduced by Dussault, McKeon, O'Neill, McDonnell, McElwain, Cashmore: A bill for an act entitled: "An act providing that information and data concerning infant morbidity and mortality may be provided to the State Board of Health, the Montana Medical Association and any of its allied medical societies, any committees of nationally organized medical societies or research groups, or any in hospital staff committee, for the purpose of reducing infant morbidity and mortality through study and medical research; providing that no liability shall arise by reason of having furnished any such information or data, or by reason of having released or published the findings and conclusions of such groups to advance medical research and education, or by reason of having released or published generally a summary of such studies; providing that the identity of any person whose condition or treatment is the subject of any information or data provided under the terms of this act shall not be revealed under any circumstances; and providing that the information and data received under the terms of this act and the conclusions resulting from studies conducted under the terms of this act shall be privileged communications."	288, 533, 558, 569, 651.
57	Introduced by Cumming, Dussault, Mahoney: A bill for an act entitled: "An act to amend section 93-1904, R.C.M. 1947, relating to court reporters furnishing copy from stenographic notes; raising cost thereof from five cents (\$.05) and seven and one-half cents (\$.075) per folio to seven and one-half (\$.075) per folio."	349, 351, 469, 503, 522, 525, 616.
58	Introduced by Thiessen, McElwain, Huntley, Graham, O'Neill, Cashmore, Cotton, Hilling: A bill for an act entitled: "An act to amend section	

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	69-1343, R.C.M. 1947, by changing the definition of 'subdivision' as used therein; and amending section 69-1345, R.C.M. 1947, to provide for changing the requirements for construction and occupancy of buildings in a 'subdivision', and to amend section 69-1342, R.C.M. 1947, to provide for correct word usage."	167, 168, 262, 274, 277, 456, 503, 507, 616.
59	Introduced by McDonnell: A bill for an act entitled: "An act amending section 80-304, R.C.M. 1947, relating to the Board of Managers of the State Soldier's Home."	328, 329, 524.
60	Introduced by Shaw, Edwards, Carney: A bill for an act entitled: "An act amending section 75-1804, of the Revised Codes of Montana, 1947, removing the March 1 to July 1 limitation on annexation and consolidation of school districts as provided in section 75-1813, Revised Codes of Montana, 1947, and providing an effective date."	204, 205, 450, 463, 466, 468, 498, 593.
62	Introduced by Shaw, Carney, McElwain, Gerard: A bill for an act entitled: "An act to amend section 82-1008 of the Revised Codes of Montana, 1947, as amended, to provide for an annual examination by the State Examiner of the books and accounts of all school districts of the first and second class and of third class districts maintaining a high school, and deleting therefrom optional provisions with respect to such examinations; and repealing all acts and parts of acts in conflict therewith."	201, 202, 454, 495, 501, 593.
67	Introduced by Carney, Thiessen, Cotton, Ullom, Moritz, Gerard, Huntley: A bill for an act entitled: "An act to provide mileage and meeting compensation for school trustees and providing for an effective date."	349, 351, 537.
69	Introduced by McKeon, Schoonover: A bill for an act entitled: "An act to amend section 38-208.1, Revised Codes of Montana, 1947, relating to admission of patients prior to legal commitment to allow certification by any Montana physician for mental illness in the county where the patient is found."	254, 255, 643.
70	Introduced by McKeon, Schoonover: A bill for an act entitled: "An act to amend section 38-214, Revised Codes of Montana, 1947, pertaining to maintenance of insane persons to provide that amount fixed for maintenance be computed as average per capita cost."	269, 271, 573, 594.
71	Introduced by McKeon, Schoonover: A bill for an act entitled: "An act pertaining to communications and packages sent by and to patients at the Montana State Hospital and repealing sections	

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	38-113, 38-114, 38-115, and 38-116, Revised Codes of Montana, 1947."	349, 351, 573, 594.
72	Introduced by McKeon, Schoonover: A bill for an act entitled: "An act to permit reception of non-resident insane to state hospital pending return to state of residence and repealing section 38-118, Revised Codes of Montana, 1947."	254, 255, 573, 594, 599, 651.
73	Introduced by Brenner: A bill for an act entitled: "An act to amend section 84-4202, Revised Codes of Montana, 1947, relating to the duty of county treasurers in collection of personal property taxes not a lien on real property; providing that personal property in addition to that against which the tax is assessed is subject to levy and sale; providing for the collection of taxes by the institution of a civil action in addition to other methods; providing that the county shall have a general lien, dependent on possession, upon any monies in its possession belonging to any taxpayer, for any amounts due said county for any delinquent personal property taxes not a lien on real estate, of said taxpayer; repealing all acts or parts of acts in conflict herewith; providing an effective date."	269, 271, 505, 522, 527, 616.
74	Introduced by Brenner: A bill for an act entitled: "An act to amend section 84-3807, Revised Codes of Montana, 1947, relating to judgments and liens for taxes against personal property; providing for the attachment of tax liens on personal property acquired by the tax debtor after assessment; providing the procedure for collecting and enforcing payment of property taxes; repealing all acts or parts of acts in conflict herewith."	269, 271, 505, 522, 527, 616.
76	Introduced by Graham, Cook, Dussault, Groff, Hilling: A bill for an act entitled: "An act to provide that county clerk and recorders may take out memberships in certain organizations at the expense of the county."	254, 255, 411, 452, 459, 523.
77	Introduced by Graham, Cook, Dussault, Groff, Hilling: A bill for an act entitled: "An act to amend section 25-508, R.C.M. 1947, to provide for expenses for county clerk and recorders when attending a general association meeting."	269, 271, 411, 452, 453, 463, 467, 523.
80	Introduced by Dussault, Cook, Cumming, Cashmore: A bill for an act entitled: "An act relating to marriage; defining legislative intent; defining marriageable age; requiring the delivery of premarital information to applicants; providing for	

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	a uniform marriage application form; providing for the issuance of marriage licenses; limiting the issuance of licenses where applicants are under the influence of narcotic drug or alcohol or are failing to support lawful dependents; providing a procedure for objection to the issuance of marriage licenses; defining the validity and invalidity of marriages performed in other states; amending section 48-118.1, R.C.M. 1947, to provide for testimony under the oath of applicants seeking a waiver of the waiting period between application for and issuance of a marriage license; and repealing sections 48-102, 48-113, 48-117, 48-118, 48-118.2 and 48-121, R.C.M. 1947."	380, 381, 532, 545, 556, 677.
81	Introduced by Dussault, Cumming, Cashmore: A bill for an act entitled: "An act adopting the uniform act on paternity; imposing upon the father of an illegitimate child a duty of support; establishing a civil action for the determination of parentage of an illegitimate child; providing for blood tests; and repealing sections 94-9901, 94-9902, 94-9903, 94-9904, 94-9905, 94-9906, 94-9907, and 94-9908, R.C.M. 1947."	365, 367, 532, 545, 557, 571, 582, 586, 677.
82	Introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act to require a compulsory waiting period between the time of service of process and the hearing in a divorce action, and for a stay of proceedings to attempt reconciliation."	365, 367, 532, 545, 556, 616.
83	Introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act abolishing the actions for breach of promise of marriage and for alienation of affections and repealing Section 17-319, R.C.M., 1947."	365, 367, 533, 545, 557, 571, 580, 651.
84	Introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act to provide rules for the recognition of ex parte foreign divorces and establishing certain presumptions as to domicile."	365, 367, 533, 545, 557, 616.
85	Introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act amending sections 48-202 and 48-203, R.C.M. 1947, relating to annulment of a marriage; providing that a marriage may be annulled when a party was under the age of majority at time of marriage; establishing the legitimacy of children of annulled marriages and providing for care, custody and support of said children; repealing sections 48-204 and 48-205, R.C.M. 1947."	380, 381, 533, 545, 557, 616.

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Sen. Sub. for Sen. S. B. 87	Introduced by Committee on Irrigation and Water: A bill for an act entitled: "An act to permit the successor in interest to the rights of a licensed water well contractor under a contract for water well construction to engage in the water well construction business to the extent necessary to fulfill said contractor's obligations and providing conditions therefor; amending Section 66-2602, R.C.M. 1947, as amended, to permit compliance with the examination and licensing provisions of the Montana water well contractor's license act by any one member of a firm, copartnership or association or the manager of a corporation; amending Section 66-2605, R.C.M. 1947, as amended, to make permissive the exacting of a fee for copies of board rules and regulations; and amending Section 66-2606, R.C.M. 1947, as amended, to permit the temporary licensing of a water well contractor prior to examination for competency and providing conditions therefor."	S-403, 531, 558, 569, 677.
88	Introduced by Bovey, Mackay: A bill for an act entitled: "An act to amend section 53-106.1, R.C.M. 1947, to provide that only a motor vehicle manufactured more than thirty (30) years prior to the year 1963 shall be licensed as a collectors' item."	198, 417, 453, 460, 523.
91	Introduced by McKeon, Siderius, Hafferman, Jensen, Rearden, Cashmore, O'Neil, Lehrkind: A bill for an act entitled: "An act to amend section 92-812, R.C.M. 1947, by providing that the Industrial Accident Board must appoint an independent hearing officer in all hearings involving plan III."	204, 205, 505.
92	Introduced by Ullom, Cashmore, Dussault, Cumming, MacDonald, Moritz: A bill for an act entitled: "An act to amend section 4-332, R.C.M. 1947, which is a part of the Montana Beer Act, authorizing issuance of special permits to sell beer, at the discretion of the Montana Liquor Control Board, to posts of nationally chartered veterans' organizations and to lodges of recognized national fraternal organizations, not otherwise licensed; and to authorize issuance of special permits to sell liquor, at the discretion of the Montana Liquor Control Board, to posts of nationally chartered veterans' organizations and to lodges of recognized national fraternal organizations, not otherwise licensed."	288, 289, 534, 558, 570, 677.
93	Introduced by Keller, Cotton, Thiessen, Schoonover, Ullom, Baggord, Lehrkind, Gerard, MacDonald, Mackay, Cole: A bill for an act entitled: "An act to amend sections 75-1810 and 75-1813, R.C.M. 1947, to provide that bonded indebtedness is assumed by the new school district when school	

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	district boundaries are changed through consolidation or annexation."	349, 351, 537.
95	Introduced by McKeon: A bill for an act entitled: "An act creating a Montana council on aging; declaring a public policy; defining the purposes of the council; authorizing the acceptance of grants and gifts."	288, 289, 533, 558, 569.
97	Introduced by Dussault and Carney: A bill for an act entitled: "An act relating to credit unions; creating new sections to provide a comprehensive revisions and consolidation of the Laws of the State of Montana relating to credit unions; regulating the incorporation, formation, operation and supervision of the affairs of credit unions; providing a saving clause; and repealing title 14, chapter 1, Revised Codes of Montana, 1947, as amended, and all other acts and parts of acts in conflict herewith."	288, 289, 546, 572, 580, 677.
99	Introduced by Lehrkind, Gerard, Cumming, Bovey, Balgord, Hilling, McGowan, Dussault: A bill for an act entitled: "An act authorizing the optional use of trust indentures as security instruments in the financing of small tracts embracing three acres of land, or less; providing for the conveyance of title to a trustee to secure the performance of an obligation and for re-conveyance upon performance; conferring a power of sale upon the trustee under a trust indenture and prescribing the time and manner in which such power may be exercised; providing for the sale of the property at trustee's sale in the event of default; prescribing the form of notice of sale and providing for the recordation, mailing, posting and publication of notice of sale; providing for trustee's deeds and the form and effect thereof; providing for the disposition of the proceeds of sale; allowing deficiency judgment in certain cases; providing for possession following sale; defining the fees and expenses chargeable to the grantor of a trust deed; providing for discontinuance of foreclosure by advertisement and sale; relating to the applicability of mortgage laws to trust indenture transactions; amending sections 93-6005, 93-6006 and 93-6007, R.C.M. 1947, relating to sales of real estate under powers of sale in mortgages and rights of redemption, to exclude therefrom trust indentures as defined in this act; and providing a short title, a severability clause and an effective date."	277, 278, 451, 468, 491, 492, 503, 510, 520, 616.
100	Introduced by Thiessen, O'Neill, Hauk, Nees, Thomas, Michels, Melcher, Carney, Shaw: A bill for an act entitled: "An act to provide for the transportation of coal by pipeline carrier; defining common carriers of coal; providing for the	

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	regulation of said carriers by the Board of Railroad Commissioners of Montana; providing for hearings before said Board of Railroad Commissioners; providing the right of eminent domain to construct necessary pipelines; prohibiting discrimination of rates and transportation; and providing a penalty for a violation of the act, by amending sections 8-201, 8-202, 8-204, 8-205, 8-206, 8-207, and 8-210, Revised Codes of Montana, 1947."	277 278, 518, 522, 528, 616.
101	Introduced by Brenner: A bill for an act entitled: "An act amending section 84-4907, R.C.M. 1947, relating to nonresident taxpayers personal income tax and deductions therefrom; providing for the proration of deductions."	201, 202, 538, 606, 611, 622, 677.
102	Introduced by Brenner: A bill for an act entitled: "An act amending section 84-4914, R.C.M. 1947, relating to personal income tax to require the filing of income tax returns upon certain conditions and to provide for the election of filing joint returns and amending the procedure for filing returns; amending section 84-4922, R.C.M. 1947, to provide that revision on income tax returns may be made within five (5) years from due date; amending section 84-4924, R.C.M. 1947, to provide for a six per cent (6%) per annum interest rate on unpaid income taxes and providing an effective date."	204, 206, 537, 558, 571, 651.
103	Introduced by Brenner: A bill for an act entitled: "An act amending section 84-4903, R.C.M. 1947, relating to personal income tax, deleting the provisions as to taxability of nonresident officers of corporations; amending section 84-4910, R.C.M. 1947, to provide for an additional exemption to income tax only in the event a separate return is made by taxpayer and spouse has no gross income and is not the dependent of another taxpayer; amending section 84-4956, R.C.M. 1947, to provide for examination of income tax returns, hearings and return of overpayments at six per cent (6%) per annum under certain conditions." ..	269, 271, 537, 558, 570, 651.
104	Introduced by Gerard, Brenner: A bill for an act entitled: "An act to authorize boards of county commissioners to lease county facilities for the purposes of operating a boarding home or nursing home for the aged."	254, 255, 411, 452, 459, 523.
105	Introduced by Gerard, Brenner: A bill for an act entitled: "An act to authorize boards of county commissioners to establish a county boarding home or nursing home for the indigent or non-indigent aged."	255, 452, 459, 523.

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106	<p>Introduced by Cashmore, O'Neill: A bill for an act entitled: "An act to regulate manufacturers and purveyors of food and drink and establishments preparing food or storing food for human consumption; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; providing for control of persons working when afflicted with contagious or infectious disease; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments and, to establish cooperative agreements with other Montana agencies; providing for inspections, sampling, and report of inspection; making reports of inspections evidence, prescribing temperature requirements for frozen food; empowering State Board of Health of Montana to issue subpoenas; prescribing penalties; providing limits of liability for loss of goods in refrigerated lockers; providing for fee required by this act to supersede other fees for same purpose; providing for lien of operator for charges and requirements for receipt of game, veal and beef; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing sections 27-111, 69-2801, 69-2802, 69-2803, 69-2804, 69-2805, 69-2806, 69-2807, 69-2808, 69-2809, 69-2810, 69-2811, 69-2812, 69-2813, 69-2814, 69-2815 and 69-2816, Revised Codes of Montana, 1947, as amended or supplemented."</p>	349, 351, 541.
107	<p>Introduced by Bovey, Gerard, McElwain: A bill for an act entitled: "An act constituting the several district courts, courts of conciliation for the purpose of protecting the rights of children and to promote and protect the family life and the institution of matrimony by providing a means for reconciliation of spouses and the amicable settlement of domestic and family controversies, and specifically where minor children are involved; defining the jurisdiction of said courts and to establish such courts which requires a determination by the judge or judges of the district whether such conciliation court is necessary in said district; providing for the designation of a judge to handle conciliation cases, necessary personnel, and payment of the expenses of said courts of conciliation by the respective counties in which said court is functioning; the manner of holding conferences, privacy of hearings, proceedings and recommendations; no fees to be charged, the hearings to be informal, stay of divorce proceedings for not to exceed thirty days to give the parties an opportunity for a reconciliation conference, transfer of cases to the conciliation court when it appears that the welfare of minors is going to be seriously affected and permitting the jurisdiction of the conciliation court where no minors are involved if it appears that a reconciliation may be had, granting the conciliation court the same powers as a district court under the constitution of the</p>	

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	state of Montana, Article 8, Section 1, Section 93-301 to 93-321 inclusive, Revised Codes of Montana, 1947, and acts amendatory and relating thereto, including the right of disqualification of judges of courts of conciliation."	403, 404, 531, 545, 558, 568, 677.
108	Introduced by McDonnell, Brenner, Cumming, Nixon, Goodwin, Durkee, Mahoney, Ullom, Cashmore, Dussault: A bill for an act entitled: "An act to amend section 84-202, R.C.M. 1947, to provide for tax exemption for that portion of a clubhouse or building not used for gain or profit belonging to any society or organization of honorably discharged United States soldiers, sailors or marines."	198, 555.
109	Introduced by Rieder, Siderius, Schoonover, McKeon, McGowan, Durkee, Shaw, Rostad, Thomas, Huntley, Dussault, Cotton, Thiessen: A bill for an act entitled: "An act revising chapter 4, title 81, R.C.M. 1947, to change certain requirements and provisions for the leasing of state grazing and agricultural lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, 81-413, 81-422, 81-414, 81-415, 81-419, 81-421, 81-433 and 81-431, R.C.M. 1947, relating to the appraisal of state lands, the placing of improvements on state lands, lease terms and the cancellation of leases on state lands, the processing of applications to lease less than the total acreage leased, and the formula for determining rentals on state grazing lands; and by repealing sections 81-417, 81-432 and 81-433.1, R.C.M. 1947."	204, 206, HS-347, 350, 406, 418, 448, 453, 459, 567, 577, 578, 590, 593, 608, 614, 631, 632, 634, 659, 667, 669, 674, 675, 676, 680, 684.
Hse. Sub. to S. B. 109	A bill for an act entitled: "An act revising chapter 4, title 81, R.C.M. 1947, to change certain requirements and provisions for the leasing of state lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, and 81-433, R.C.M. 1947, relating to the policy as to appraisal and leasing of state land, the leasing of state lands and the basis thereof, the renewal of leases and preference rights of lessees, the fixing of the value of improvements placed on leased land by lessees, the qualifications of lessees and the terms of leases, and the formula for determining rentals on state grazing lands; and by repealing section 81-417, R.C.M. 1947; and section 2 of chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, compiled as section 81-433.1, R.C.M.	

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	1947; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	347, 350, 406, 418, 448, 453, 459, 567, 577, 578, 590, 593, 608, 614, 631, 632, 634, 659, 667, 669, 674, 675, 676, 680, 684.
110	Introduced by McKeon, Durkee, Reardon: A bill for an act entitled: "An act to provide medical assistance for the aged."	403, 404, 416.
112	Introduced by Mahoney, McElwain: A bill for an act entitled: "An act to amend chapter 13, section 12, rule 12, Laws of Montana, 1961, Montana Rules of Civil Procedure, relating to motions covering defenses and objections."	238, 240, 439, 453, 462, 523.
113	Introduced by Moberly: O'Neill, DeWolfe, Breen: A bill for an act entitled: "An act amending section 81-1705, Revised Codes of Montana, 1947, to allow semi-annual payment of royalties on state oil and gas leases."	227, 228, 518, 522, 528, 616.
114	Introduced by Hilling, Keller, Dussault: A bill for an act entitled: "An act to amend sections 11-725 and 11-728, R.C.M. 1947, pertaining to salaries and qualifications of mayors and aldermen and salaries of city and town treasurers; providing the maximum salary that may be paid to mayors of second and third class cities, mayors of towns, and aldermen of all cities and towns; providing the maximum salary that may be paid to city and town treasurers."	380, 381, 455, 495, 501, 593.
115	Introduced by Stein, Beley, McDonnell, Grieve, Bovey: A bill for an act entitled: "An act to authorize the recording of locations of new highways or controlled access facilities by the State Highway Commission; providing that improvements, buildings or subdivisions placed upon said lands within the limits of such location may not be taken into consideration for the purpose of assessing compensation for such lands; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from the date of its passage and approval."	298, 299, 450, 468, 494, 500, 593.
117	Introduced by Groff: A bill for an act entitled: "An act to amend Section 32-711, R.C.M. 1947, which relates to the control and management of bridges by boards of county commissioners; to provide that boards of county commissioners may make repairs to stream beds, water courses and the banks thereof when there is danger that a	

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	bridge may be damaged or lost because of erosion or changes in the courses of such streams."	366, 367, 504, 522, 527, 616.
Sub. 120	Introduced by the Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to provide for reciprocal agreements with other states waiving citizenship requirements for auctioneers and providing for the place of posting bond by non-resident auctioneers."	S-319, 320, 524, 537, 543, 616.
122	Introduced by Schoonover, Ullom, Shaw, Hafferman: A bill for an act entitled: "An act to amend section 75-2401, R.C.M. 1947, relating to the re-election of teachers to provide that a board of trustees may terminate the services of a teacher who has attained or will attain the age of sixty-five (65) years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years."	277, 278, 450, 468, 498, 593.
124	Introduced by Mahoney, Huntley, Schoonover, Jensen, Cumming, Hafferman: A bill for an act entitled: "An act to authorize and empower incorporated cities and towns, at their option, to make an all purpose exclusive annual mill levy in lieu of the multiple levies now authorized by the statutes of the State of Montana; providing that in event such all purpose levy is adopted the incorporated cities and towns shall allocate the same on a mill basis to the several departments of said city or town."	269, 271, 535.
125	Introduced by Mahoney, McElwain: A bill for an act entitled: "An act to amend chapter 32 of Title 94 of the Revised Codes of Montana, 1947, relating to crimes involving malicious injuries to railroads, highways and other property, by adding thereto a new section to be numbered 94-3211, making it a felony for any person to wilfully displace, remove, injure or destroy any public telephone instrument or part thereof or equipment or facilities associated therewith, or to enter or break into any coin box associated therewith, or to wilfully displace, remove, injure or destroy any telegraph or telephone line, wire, cable, pole or conduit or electric power line, cable, pole, conduit or facilities associated therewith belonging to another or the material or property appurtenant thereto, and providing a penalty therefore, and by amending section 94-3203 of the Revised Codes of Montana, 1947, making it a misdemeanor to tamper with telegraph, telephone and electric systems, by deleting therefrom so much thereof as makes it a misdemeanor for any person to wilfully and maliciously displace, remove, injure, destroy or obstruct any telegraph, telephone or electric light line, wire, cable, pole or conduit belonging to another, or the material or property appur-	

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	tenant thereto, and providing it shall be a misdemeanor to wilfully or maliciously cut, break or tamper with electric power lines; repealing section 94-3209 of the Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	227, 228, 504, 522, 527, 616.
126	Introduced by Gerard, Stein: A bill for an act entitled: "An act to amend section 59-516, R.C.M. 1947, to provide that certain records may be destroyed after a period of twenty-five years."	204, 206, 419, 453, 461, 523.
130	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 11-1832, Revised Codes of Montana, 1947, to increase the minimum wage of policemen of first and second class cities from three hundred and fifty dollars (\$350.00) to three hundred and seventy-five dollars (\$375.00) per month."	397, 398, 535, 536.
131	Introduced by Keller, Rostad, Grieve, Nixon, Cumming: A bill for an act entitled: "An act requiring and providing for filing of corner records containing information on public land survey corners by a licensed land surveyor; defining terms; providing for filing and filing fees, and making records available to the public; allowing licensed land surveyors to file information on any property corner; requiring surveyors to reconstruct and perpetuate monuments of public land survey corners; directing that unconstitutionality of a part of this act shall not affect or impair the remainder, and repealing all acts and parts of acts inconsistent herewith."	298, 299, 496, 510, 521, 616.
132	Introduced by McElwain: A bill for an act entitled: "An act to amend section 80-740, R.C.M. 1947, to provide rules governing good time allowances earned by the inmates of the Montana State Prison, and providing for forfeiture of such good time."	277, 278, 416, 452, 463, 494, 498.
134	Introduced by Cotton, Hauk, Hafferman: A bill for an act entitled: "An act to amend section 75-1802, Revised Codes of Montana, 1947, relating to classifications of school districts and providing that three times the number of school census children may be used to compute the population of the school district in the year the federal census is taken."	227, 229, 524, 537, 544, 651.
135	Introduced by McKeon (by request): A bill for an act entitled: "An act to amend Section 71-222, R.C.M. 1947, which concerns per capita and millage taxes to be levied for support of the county poor fund and which forbids the expenditure of any part of the county poor fund for maintenance	

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	or improvement of any building so long as the fund is needed for relief or public assistance within the county; to provide that expenditures for maintenance or improvement of county buildings used directly for care of the poor may be made out of any monies in the county poor fund where such maintenance or improvement is required by order of the state board of health and approved by the public welfare department; containing a repealing clause."	403, 404, 533, 558, 570, 677.
136	[Reference only.]	375.
139	Introduced by McKeon, Siderius, Reardon, Mahoney, Jensen, Hafferman, O'Neill: A bill for an act entitled: "An act relating to workmen's compensation amended Sections 92-701, 92-702, 92-703, 92-704, 92-709, R.C.M. 1947, by increasing compensation in cases of temporary total, permanent total, and partial disability, for injuries causing death, and certain specific loss injuries; providing an effective date."	403, 404, 542.
142	Introduced by Michels, Bovey, Moritz, McGowan: A bill for an act entitled: "An act to redefine occasional transportation 'for hire' operation, and prima facie acts deeming a person to be a motor carrier; increasing fines imposed for violations; and amending Sections 8-101, 8-119 and 8-121, R.C.M. 1947."	397, 398, 547, 571, 572, 581, 651.
143	Introduced by Michels, Moritz, McGowan, Bovey: A bill for an act entitled: "An act providing for appointment of a supervisor of motor carriers by the board of railroad commissioners; describing the duties, qualifications and powers of such supervisor; and amending Section 8-103, R.C.M. 1947."	366, 367, 547, 571, 572, 580, 651.
144	Introduced by Michels, Moritz, McGowan, Bovey: A bill for an act entitled: "An act relating to motor vehicles; creating, amending and repealing laws on motor vehicle reciprocal or proportional registration agreements, arrangements and declaration with other states, provinces, territories and countries, so as to conform substantially with the model reciprocity and proration draft proposed by the national committee on uniform traffic laws and ordinances; providing a declaration of policy, definitions, creation of Montana motor vehicle reciprocity board, and authority of said board; and providing other related sections for carrying out the policy, construction and administration of this act; providing a severability clause; amending section 53-129, R.C.M. 1947, as amended; repealing section 53-625, R.C.M., 1947, as amended; providing an effective date."	391, 392, 547, 572, 581, 651.

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146	Introduced by Durkee, Brenner: A bill for an act entitled: "An act to amend Section 4-104, R.C.M. 1947, pertaining to the creation, qualifications and term of the Montana liquor control board; providing for a five (5) member board; providing for removal of members by the governor; and providing an effective date."	403, 404, 496, 510, 522, 537, 543, 651.
148	Introduced by Stein, Lehrkind: A bill for an act entitled: "An act to amend Sections 75-4120, 75-4121, 75-4122, 75-4123, 75-4124, 75-4125, 75-4126, 75-4127, 75-4128, 75-4130, 75-4133, 75-4134, and 75-4138 of the Revised Codes of Montana of 1947; providing means whereby county high schools may be unified and made a part of the school system of the district in which they are located; repealing all acts and parts of acts in conflict herewith and providing an effective date."	403, 405, 541, 558, 571, 637, 665, 674.
149	Introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-3414, R.C.M. 1947, relating to budgets and levies for school transportation and providing that reserve funds shall be included in transportation budgets to provide funds for maintaining transportation service from July 1 to November 30 of the next succeeding school year and limiting the size of such reserve funds."	397, 398, 524, 537, 543.
151	Introduced by Dussault: A bill for an act entitled: "An act to amend section 81-1408, R.C.M. 1947, relating to the duties of the State Forester concerning lumber cutting and scaling."	255, 454, 495, 500, 593.
152	Introduced by MacDonald, Dussault: A bill for an act entitled: "An act to amend Section 25-232, 25-233, and 82-503, R.C.M. 1947, to provide for an increase in certain fees to be collected by the clerks of the district and supreme courts."	397, 398, 469.
156	Introduced by Mahoney, Cumming, Durkee: A bill for an act entitled: "An act to amend section 71-123, Revised Codes of Montana, 1947, pertaining to headstones for deceased veterans and the expense of setting up each stone."	227, 229, 470, 503, 508, 593.
157	Introduced by Graham, Hilling: A bill for an act entitled: "An act pertaining to the registration of motor vehicles; requiring removal of license plates from motor vehicles upon transfer of ownership; authorizing original owner to transfer license plates from original motor vehicle to another motor vehicle acquired during current registration year upon proper application and payment of fees and taxes, if any; requiring new application and registration for all motor vehicles trans-	

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	ferred; repealing Sections 53-103, and 53-135; and amending Sections 53-114, 53-106, 53-108, 53-109, 53-115, 53-119, 53-106.6 and 53-622."	403, 405, 547.
160	Introduced by McKeon, Breen, Hauk, Moberly: A bill for an act entitled: "An act to amend section 32-1615, R.C.M. 1947, to provide that the highway department shall prepare and file a plat in the same manner as a natural person whenever a parcel of land taken for highway use is such a shape or size to come under the provisions of 11-614."	328, 329, 417, 453, 460, 523.
161	Introduced by Groff, Brenner: A bill for an act entitled: "An act to amend sections 23-802, 23-809, 23-911, 23-913, 23-916, 23-919, 23-1106, 23-1112, 23-1608, 23-1608a and 23-2003, Revised Codes of Montana 1947, so as to provide that certificates of nomination shall indicate whether a candidate is the incumbent in the office for which he is a candidate; providing that the secretary of state must certify whether a candidate is the incumbent occupying the office for which he is a candidate; providing that petitions for nomination, partisan and non-partisan, shall indicate whether the candidate is the incumbent occupying the office for which he is a candidate; providing that the "register of candidates for nomination at the primary nominating election", and the "register of nominations" kept by the secretary of state, the county clerk or city clerk must indicate whether a candidate for nomination or a nominee is the incumbent in the office for which he is a candidate; providing that the secretary of state must certify in addition to other information concerning candidates for nomination whether a candidate is the incumbent occupying the office for which he is a candidate; providing that it shall be indicated on the ballots at primary, general and other elections, including ballots on voting machines, whether a candidate is the incumbent occupying the office for which he is a candidate; and repealing all acts and parts of acts in conflict with this act."	298, 299, 420, 453, 463.
162	Introduced by Dussault: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to section 29 of article VIII of the Constitution of the State of Montana relating to the salary of the justices of the supreme court and the judges of the district courts and providing for the quarterly payment thereof by the state of such salary and providing that such salary shall not be diminished during the terms for which such justices and judges shall have been respectively elected."	349, 351, 420, 453, 463, 467, 523.
164	Introduced by Dussault: A bill for an act entitled:	

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	"An act to amend section 32-21-146, R.C.M. 1947, to define "excessive or unusual noise."	227, 229, 417.
165	Introduced by Huntley, Carney, Cumming: A bill for an act entitled: "An act prohibiting the defense of sovereign immunity where public bodies are insured: Repealing all acts and parts of acts in conflict herewith."	238, 240, 555, 583, 588, 677.
166	Introduced by McElwain, Mackay: A bill for an act entitled: "An act to amend section 53-501, R.C.M. 1947, relating to color of state-owned vehicles; vehicles in service of Governor, The State Highway Commission, and Highway Patrol excepted; specifying location and size of lettering; authorizing state controller to determine color of vehicles, except those purchased for Governor, State Highway Commisison and State Highway Patrol, and to assign code numbers to each department and institution for identification; repealing all acts and parts of acts in conflict therewith; providing an effective date."	298, 299, 465.
167	Introduced by Melcher, Rostad, Manning: A bill for an act entitled: "An act to amend Section 72-123, R.C.M. 1947, to require approval of the board of railroad commissioners prior to curtailment or discontinuance of freight service."	403, 405, 545.
169	Introduced by McElwain, McKeon: A bill for an act entitled: "An act to amend chapter 11 of title 15 of the Revised Codes of Montana, 1947, by adding sections 15-1119 to 15-1130 both inclusive, Revised Codes of Montana, 1947; relating to the involuntary winding up or dissolution of private corporations created under the Laws of Montana upon complaint by a shareholder; providing judicial procedure therefore; providing the grounds and reasons therefore; authorizing appointment of receiver in actions therefore; providing that owners of fifty per cent (50%) or more of the stock of corporations may avoid dissolution by purchase of shares of complaining stockholders at fair cash value thereof; providing for judicial determination of the fair cash value of stock of corporation; providing act shall be liberally construed; providing manner for winding up or dissolving corporation; making act applicable to existing corporations as well as those created hereafter; repealing all acts or parts of acts in conflict herewith; amending section 15-1101, Revised Codes of Montana, 1947, providing a severability clause; and providing an effective date."	349, 352, 547, 583, 587, 677.
170	Introduced by Lehrkind, McGowan: A bill for an act entitled: "An act to amend Section 75-402, R.C.M. 1947, relating to legal names of units of university of Montana; changing the name of Montana state college to Montana state univer-	

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	sity; changing name of Montana state university to university of Montana; repealing Section 75-401, R.C.M. 1947; and providing an effective date."	403, 405, 438, 439.
171	Introduced by Committee on Commerce and Labor: A bill for an act entitled: "An act to prohibit retail sale of certain merchandise on Sunday, to prohibit requiring or permitting employees to sell certain retail merchandise on Sunday, and providing exceptions and definitions and penalties for violations."	S-403, 405, 439, 505.
175	Introduced by Mahoney, Hafferman, Siderius, Reardon, McKeon, Durkee, Jensen: A bill for an act entitled: "An act to amend sections 87-103, 87-104 and 87-109, R.C.M. 1947, relating to unemployment compensation; providing for increased benefits; relating to duration of benefits; and providing for improvements in the contribution provisions, allowing protections for small employers; increasing taxable wage."	380, 381.
179	Introduced by McElwain: A bill for an act entitled: "An act relating to the qualification and examination of applicants for admission to the bar of the State of Montana; providing certain qualifications and giving to the Supreme Court of the state the power to prescribe additional qualifications and to determine the time and manner of the examination to be given; and repealing sections 93-2002 and 92-2005, R.C.M. 1947."	380, 381, 547, 572.
189	Introduced by Reardon: A bill for an act entitled: "An act relating to printing for the state of Montana, amending Sections 82-1137 and 82-1138, R.C.M. 1947, providing requirements for responsible bidders; providing that state printing be done within the state where adequate and responsible bidders are available; providing penalties for violations of the act."	397, 398, 554, 583, 588, 618, 619, 644, 661, 689.
190	Introduced by McKeon, Dussault, Cumming, Huntley: A bill for an act entitled: "An act authorizing any and all departments of the state of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents; and containing a repealing clause."	403, 405, 447, 492, 573.
193	Introduced by Hilling, Dussault, McGowan, Bovey: A bill for an act entitled: "An act amending Section 53-122, R.C.M. 1947, relating to registration fees of motor vehicles and the disposition thereof; providing that the funds in the county	

No.	Title of Bill	Page
	motor vehicle fund shall be equitably dispersed under a unit plan; prescribing the method and procedure of determining "city units" and "rural units"; specifying the duties of the county treasurer and board of county commissioners in each county in calculating and distributing the county road funds and the city road funds; providing for the use of the county road funds and city road funds; and providing an effective date."	403, 405, 546, 572, 583, 585, 586.
194	Introduced by Hafferman, McGowan, Rieder, O'Neill, Durkee: A bill for an act entitled: "An act relating to the supplying of electric service, restricting duplication of such service, and providing for the continuance of such service in urban areas."	328, 329, 455, 458.
196	Introduced by Carney, Moritz, Edwards, Hauk, Melcher: A bill for an act entitled: "An act to amend Section 75-1632, R.C.M. 1947, relating to duties of school trustees; to provide for accounting and for the disposition of rental funds as to school owned employee housing."	366, 367, 496, 510, 521, 616.
197	Introduced by Nees, Keller, Mackay, Hauk: A bill for an act entitled: "An act to amend section 16-2420, R.C.M. 1947, which pertains to the powers of boards of county commissioners to designate the class to which their counties belong and which authorizes such designation every four years; to provide that boards of county commissioners shall designate the class to which their counties belong at their regular session in September, 1963, and each two years thereafter."	227, 229, 538.
198	Introduced by McGowan, Dussault, Cumming, Hilling, MacDonald, Brenner: A bill for an act entitled: "An act prohibiting transfer of retail liquor and beer licenses of qualified veteran and fraternal organizations; restricting sales of liquor and beer by veteran and fraternal organizations to members and guests only; providing "minimum facilities" for excluding unauthorized patrons; providing exception; and providing penalty for violation hereof."	288, 289.
201	Introduced by McKeon: A bill for an act entitled: "An act amending Sections 53-422 and 53-432, R.C.M. 1947, by increasing the amounts necessary as security or to satisfy judgments of persons involved in motor vehicle accidents and not released from liability."	397, 398, 504.
204	Introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-1630, R.C.M. 1947, relating to transfer of funds between school districts; to provide that parents denied permission to have children attend schools outside district of residence may pay the costs and have the children attend the other school; and providing that a	

No.	Title of Bill	Page
	waiver of costs by a district receiving pupils from other districts applies equally to all pupils."	403, 405, 447, 492, 525, 537, 544, 616.
205	Introduced by Huntley: A bill for an act entitled: "An act to amend Section 53-438, R.C.M. 1947, increasing the limits of liability insurance as proof of financial responsibility and containing a repealing clause."	397, 398, 504.
206	Introduced by Cook, McKeon, Reardon, Thomas, Cashmore, McElwain, Manning: A bill for an act entitled: "An act to amend section 23-1206, R.C.M. 1947, to provide that all polling-places shall have sufficient booths or compartments."	255.
208	Introduced by Cook: A bill for an act entitled: "An act to amend section 23-507, R.C.M. 1947, to require the office of the county clerk to be open for registration of voters between the hours of eight a.m. and five p.m."	227, 229, 469, 503
209	Introduced by Cook: A bill for an act entitled: "An act to amend section 23-1307, R.C.M. 1947, as amended, to provide for assistance to a disabled elector in marking an absentee ballot."	269, 272, 455.
210	Introduced by Grieve, Dussault: A bill for an act entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by chapter 217 of the Session Laws of 1961, relating to the extension of boundaries of cities; providing the procedure for such extension by cities of the first class; providing that city councils of cities of the first class may not, without petition, consider or act upon any resolution of annexation within one year after the disapproval of a prior resolution relating to the same territory or any portion thereof; repealing all acts and parts of acts in conflict herewith."	238, 240, 267, 294.
215	Introduced by Huntley: A bill for an act entitled: "An act to amend section 93-5011, R.C.M. 1947, relating to challenges for cause, to provide that a juror may be challenged for cause upon showing of interest in an insurance company where action is for injuries to person or property."	255, 256, 676.
216	Introduced by Siderius: A bill for an act entitled: "An act to amend section 13, chapter 251, Laws of 1961, compiled as section 15-2013, R.C.M. 1947, pertaining to the securities act of Montana; exempting securities issued by a local development company; defining a local development company; and providing an effective date."	403, 406, 545.

HOUSE JOURNAL

of the

Thirty-eighth Legislative Assembly

of the

State of Montana

FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 7, 1963

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Rev. William E. Burkhardt of Helena, Montana, Temporary Chaplain; Mr. Casper N. Nybo of Missoula, Montana, Temporary Sergeant-at-Arms; Mr. William Walrath of Helena, Montana, Temporary Chief Clerk; and Sharon Hansen of Poplar, Montana, Temporary Journal Clerk.

Posting of the Colors by Lt. Carson and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly, followed.

Invocation was given by the Reverend William E. Burkhardt.

The Chief Clerk called the roll, all members being present, and each presented his certificate of election to the Secretary of State.

Secretary of State Frank Murray introduced the Honorable Hugh Adair, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, the following members having presented their certificates of election, subscribed to the foregoing oath:

Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Hazelbaker, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer.

The Secretary of State called for nominations for Speaker of the House of Representatives. Blewett of Cascade nominated Frank W. Hazelbaker of Beaverhead County. Wayrynen of Silver Bow nominated Leonard D. Regan of Cascade County. Nominations were closed and the following votes were cast.

For Hazelbaker: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright. Total 57.

For Regan: Aashiem, Bailey, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Hazelbaker, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Schepens, Sheldon, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 37.

Blewett of Cascade County and Regan of Cascade County escorted the newly elected Speaker, Frank W. Hazelbaker, to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett of Cascade that the 63 rules be adopted as the Rules governing the Proceedings of this 38th Legislative Session, with the exception of Rule 9, Committees, which shall read as follows:

RULE 9

Committees.

1, The Committee on Rules and Journal shall consist of the Speaker and four members to be by him appointed.

The Speaker shall appoint the following standing committees, to consist of such number of members, not exceeding fifteen, except appropriations and education committees, as he may elect, unless otherwise specially ordered by the House, viz.:

1. Affairs of Cities
2. Agriculture and Irrigation
3. Appropriations
4. Bills
5. Business and Industry
6. Constitution, Elections and Federal Relations
7. Education
8. Fish and Game
9. Highways
10. Judiciary

11. Labor and Compensation
12. Legislative Administration
13. Livestock and Ranges
14. Public Health, Welfare and Safety
15. Rules and Journal
16. State Administration
17. Townships and Counties.
18. Ways and Means

2. He shall also appoint all Select Committees, unless otherwise ordered by the House.

3. The first named member of each committee shall be the Chairman; and in his absence, the next named member, and so on, as often as the case may happen.

RULES OF THE HOUSE

Thirty-eighth Legislative Assembly

RULE 1.

Attendance and Decorum.

1. Every member shall be present in the hall of the House during the sittings, unless necessarily prevented or excused. He shall vote on each question put unless he has a direct personal or pecuniary interest in the event of such question, except as provided in Rule 26. Loud talking or smoking shall be discontinued upon request of the Speaker.

2. The hour for the meeting of the House shall be Ten o'clock a.m., unless by the House otherwise directed.

RULE 2.

Duties of the Speaker.

1. The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and after prayer by the Chaplain and upon roll call by the Clerk, and the presence of a quorum, the Journal of the preceding day shall be read, or a report given thereon by the Committee on Rules and Journal, after which the Speaker shall proceed with the regular order of business.

2. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the hall of the House, and of the corridors and passages.

4. He shall sign all acts, addresses and resolutions in the presence of the House, and all writs, warrants and subpoenas of, or issued by order of the House, and shall decide all questions of order subject to an appeal by any member, when such appeal is supported by two other members, upon which appeal no member shall speak more than once unless by permission of the House.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to-wit: "as many as are in favor of (as the question may be) vote 'Aye'," and after the affirmative vote is expressed, "as many as are opposed vote 'No'." If he doubts or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question to tell the members in affirma-

tive and negative, which being reported, he shall rise and state the decision.

6. He shall not be required to vote in ordinary legislative proceedings, except when his vote would be decisive, or in a yea and nay vote, or where the House is engaged in voting by ballot.

RULE 3.

Speaker Pro-Tem

The Speaker Pro-Tem shall perform all the duties of the Speaker in the absence of that officer, and on such other occasions as the Speaker may request.

RULE 4.

Duties of the Clerk.

1. The Chief Clerk shall cause to be kept and recorded a correct Journal of the proceedings of the House and shall perform such other duties as may be assigned to him. He shall superintend the engrossing, enrolling and transcribing and copying of bills, resolutions, etc.; shall permit no records or papers belonging to the House to be taken out of his custody otherwise than in the regular course of business; shall report any missing papers to the Speaker; and shall have general supervision of the entire Clerical Force of the House, under the direction of the Speaker.

2. Clerk May Correct Certain Errors. The Chief Clerk and his Engrossing Clerks, in all proper cases, shall correct any mere clerical errors in any House Bill, Memorial or Resolution, such as errors in orthography, or in the use of one word for another, as "affect" for "effect," "previous" for "previously," and the like; and also all mistakes in numbering the sections and reference thereto, whether such mistakes occur in the original bill or are caused by amendments made thereto; provided such corrections shall not be made after engrossment, except by an order of the House; and provided further, that all such corrections shall be reported to the Speaker, but no corrections, other than such as are authorized by this rule, shall be made at any time by the Clerk or his Assistants, unless upon order of the House.

RULE 5.

Duties of the Sergeant-at Arms.

It shall be the duty of the Sergeant-at-Arms to attend the House during its Sessions, to maintain order under the direction of the Speaker and pending the election of the Speaker or Speaker Pro-Tempore under the direction of the Clerk, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker, and shall have general supervision of the entire administrative force of the House.

RULE 6.

Chaplain.

The Chaplain shall attend at the commencement of each day's sittings of the House, and open the same with prayer.

RULE 7.

Duties of the Committee on Rules and Journal.

The Committee on Rules and Journal shall examine each day the Journal of the proceedings of the House as prepared by the Clerk; shall make corrections therein when the same is in error; and shall report immediately

after roll call every day that the House is in Session, which report may be in lieu of the reading of the Journal.

The Committee shall also, upon proper referral to it, consider all questions relating to rules, joint rules and order of business, and report thereon to the membership of the House on the same or the next legislative day which report shall be adopted or rejected by a majority vote.

Rule 58 shall govern the manner of amending or suspending a rule of the House.

RULE 8.

Questions of Privilege.

Questions of Privilege shall be: First, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; Second, the rights, reputation and conduct of the members individually in their respective capacity only; and shall have precedence of all other questions except motions to fix the time to which the House shall adjourn, to adjourn and for a recess.

RULE 9.

Committees.

1. The Committee on Rules and Journal shall consist of the Speaker and four members to be by him appointed.

The Speaker shall appoint the following standing committees, to consist of such number of members, not exceeding fifteen, except appropriations and education committees, as he may elect, unless otherwise specially ordered by the House, viz.:

1. Affairs of Cities
2. Agriculture and Irrigation
3. Appropriations
4. Bills
5. Business and Industry
6. Constitution, Elections and Federal Relations
7. Education
8. Fish and Game
9. Highways
10. Judiciary
11. Labor and Compensation
12. Legislative Administration
13. Livestock and Ranges
14. Public Health, Welfare and Safety
15. Rules and Journal
16. State Administration
17. Townships and Counties
18. Ways and Means

2. He shall also appoint all Select Committees, unless otherwise ordered by the House.

3. The first named member of each committee shall be the Chairman; and in his absence, the next named member, and so on, as often as the case may happen.

RULE 10.

Duties of the Committee on Legislative Administration.

1. It shall be the duty of the Committee on Legislative Administration to select and recommend for appointment or dismissal all House employees and when their report shall be adopted by the House, the selections recom-

mended therein shall be final. They shall examine the various applicants for the several positions to be filled.

2. They shall also examine applicants for positions as committee clerks, as to their efficiency.

3. All requests for the appointment of clerks by the chairman of committees shall be made through the committee on Legislative Administration and not otherwise. All clerks of committees shall be under the supervision of the Chief Clerk and when not occupied with the duties of the committee shall work under his direction.

4. The Committee on Legislative Administration shall also consider all matters concerned with seating, mileage and per diem, and entertainment.

RULE 11.

Reports of Standing and Select Committees.

1. All bills, petitions, memorials or resolutions reported from a committee, shall be accompanied by reports in writing, which shall be entered in the Journal. Whenever a committee report on any bill, petition, memorial or resolution, carries an amendment, said amendment shall accompany said report in triplicate.

2. In case the members of any committee required or entitled to report on any subject referred to them, cannot agree on a report, the majority and minority of such committee present at the meeting may each make a separate report; and any member dissenting in whole or in part from the reasonings or conclusions of both the majority and minority may also present to the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal, unless otherwise ordered by the House.

3. All Standing Committees of the House shall report their action on all bills or matters referred to them within seven days after reference, unless at the request of the Committee, and on good cause shown, further time be granted by the House.

RULE 12.

Substitutes and Amendments.

1. No standing or select committee, or member thereof, shall report any "substitute" or "amendment" for any bill or bills, or resolution, referred to such committee, which substitute or amendment relates to a different subject, or is intended to accomplish a different purpose than that of the original bill or resolution for which it is reported, or which, if adopted or passed would require a title essentially different from the title of the original bill or resolution; and any substitute bill or resolution so reported, shall be rejected whenever the House is advised that the same is in violation of this rule. Section 19, Article 5 of the Constitution of Montana.

2. Any substitute bill or resolution so reported shall be read a first and second time, referred to the Bills Committee, and when reported correctly printed shall be placed on general orders.

3. Section 1 of this rule shall not be suspended.

RULE 13.

When Certain Committees May Report.

The following named Committees shall have leave to report at any time, except when questions are being called or a call of the House is being had, on matters herein stated: The Committee on Rules and Journal;

the Committee on Bills, on Enrolled Bills; the Committee on Ways and Means, on Bills for raising revenue; the Appropriations Committee, on general appropriation bills; the Committee on Constitution, Elections and Federal Relations on the rights of a member to his seat.

RULE 14.

Privileged Reports.

Reports from the Committee on Bills may be made at any time and shall stand approved without formal action.

RULE 15.

Conference Reports.

Reports of Committees of Conference may be presented and received on any order of business and shall be in order at any time except when a vote is being taken or a member has the floor, and there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendment or proposition will have upon the measures to which they relate, which statement shall be entered upon the Journal.

RULE 16.

Absence of Committees.

No committee members shall absent themselves by reason of their appointment during the sitting of the House, without special leave, except members of conference committees and the Bills Committee.

RULE 17.

Committee Clerks.

The chairman of each committee shall appoint its clerk or clerks, subject to the approval of the majority of the committee, if such clerk or clerks are deemed necessary, who shall be paid at the public expense, the House having first provided for such clerk or clerks on recommendation of the Committee on Legislative Administration.

RULE 18.

Committee of the Whole House.

1. The House may resolve itself into a Committee of the Whole by a majority of a quorum voting on a motion of a member for that purpose, and may by motion limit debate on any subject to be considered by the committee.

2. In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair, after appointing a chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobbies, have the power to cause them to be cleared.

3. Whenever the Committee of the Whole House finds itself without a quorum, the committee shall rise and the chairman shall so report, and thereupon there shall be a call of the House and if on such call a quorum shall appear, the committee shall thereupon resume its sitting without further order of the House.

4. All bills and memorials requiring the signature of the Governor shall be considered in the Committee of the Whole before being taken up and considered by the House, and a point of order under this rule shall be good at any time before any such bill or memorial shall have passed the House.

5. In Committee of the Whole House business on the calendar shall be taken up in regular order, except bills for raising revenue and general appropriation bills, which shall have precedence.

6. When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor and against any amendment that may be offered to an amendment; and neither an amendment, nor an amendment to an amendment, shall be withdrawn by the mover thereof, unless by unanimous consent of the committee. The five-minute rule being applied shall not preclude further amendment to be decided without debate.

7. A motion to recommend the striking out of the enacting clause of a bill shall have precedence over a motion to amend; and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House. But before the report of the committee is acted upon by the House, it is in order to entertain a motion to refer the bill to any committee, with or without instructions, and when the same is again reported to the House, it shall be referred to the Committee of the Whole without debate.

8. Every bill in Committee of the Whole shall be read and considered by sections. The body of a bill shall not be defaced or interlined in any way, but all amendments agreed to by the committee shall be included in the report of the committee, noting the section and line to which such amendment applies.

9. The rules of proceedings in the House shall be observed in Committee of the Whole House, so far as may be applicable, except that a member may speak more than twice on the same subject, and a call for the ayes and nays or for the previous question or motion to lay on the table, cannot be made.

RULE 19.

After business upon which the House resolved itself into Committee of the Whole shall be completed, the committee shall rise and report. The report of the Committee of the Whole shall contain a correct account of the action had on each particular measure. When more than one bill is considered in Committee of the Whole and the report of the Committee of the Whole is adopted is one report, it shall be in order on that or the succeeding day upon which the House shall be in session for any member who voted the prevailing side to move to reconsider the action on any measure separately. When the report of the Committee of the Whole on any bill is rejected, the bill shall remain on general orders until disposed of by the House.

RULE 20.

Action of House Upon Report of Committee of the Whole.

The Speaker upon resuming the chair shall receive the report of the chairman of the Committee of the Whole and the House shall take action thereon.

RULE 21.

Order of Business.

1. Communications and Petitions.
2. Reports of Select Committees.
3. Reports of Standing Committees.

4. Consideration of Messages from Governor and Senate.
5. Motions and Resolutions.
6. Introduction of Bills and Memorials and First and Second Reading of Same.
7. Third Reading of Senate Bills.

Report of Committee of the Whole

8. Third Reading of House Bills.
9. Consideration of General Orders.
10. Unfinished Business.

Special Orders of the Day, or to change the Order of Business, requires a two-thirds vote.

RULE 22.

Debate.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address the Chair in the following form: "Mr. Speaker," and being recognized may address the House from any place on the floor, or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members arise at the same time the Speaker shall name the member who is first to speak; and no member shall occupy more than one-half hour in debate, on any question in the House or in committee as further provided in this rule.

3. Upon committee reports the member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one-half hour to close, notwithstanding he may have used one-half hour in opening.

4. If any member transgresses the rules of the House, in speaking or otherwise, the Speaker shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the House shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case require, he shall be liable to censure or such other punishment as the House may deem proper.

5. If a member is called to order, for words spoken in debate, the member calling him to order shall indicate the words excepted to and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No member shall speak more than once on the same question without leave of the House, unless he be the mover, proposer or introducer of the matter pending; in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

RULE 23.

Calls of the Roll and of the House.

1. Upon every roll call the names of the members shall be taken or called alphabetically by surname. When two or more members have the same surname, initial and/or given first name of such member shall be added.

2. Pairs shall be announced by the Clerk after the completion of the roll call, from a written list furnished him, and signed by the members making the statement to him.

3. A majority of the House shall constitute a quorum to do business. In the absence of a quorum, ten members, including the Speaker, if there be one, shall be authorized to compel the attendance of the absent members; or, if a quorum be present, a call of the House shall be ordered upon the demand of 15 members, and pending such call all other business shall be suspended. In all calls of the House, the pages shall announce the call through the corridors of the House; roll call shall be taken by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made, shall be sent for and arrested wherever they shall be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what conditions they shall be discharged.

4. When, on the call of the House, there are members declining to vote, their names shall be called and entered upon the Journal as present. Members who voluntarily appear, unless the House shall otherwise direct, shall be admitted immediately to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present. The call may be dispensed with upon progress made, by a majority vote.

RULE 24.

Motions, Their Precedence, Etc.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing upon demand of any member, and shall be entered on the Journal with the name of the member making it unless it is defeated or withdrawn the same day.

2. When a motion has been made, the Speaker shall state it, or, if it be in writing, cause it to be read aloud by the Clerk before being debated, and it then shall be in possession of the House, but may be withdrawn at any time, before a decision or an amendment.

3. When a question is under debate, no motion shall be entertained but to:

Fix the day to which the House shall adjourn.

To adjourn.

To take a recess.

To lay on the table.

For the previous question.

To postpone to a day certain.

To refer or amend.

To postpone indefinitely.

These several motions shall have precedence in the foregoing order; and no motion, being decided, shall be again allowed on the same day at the same stage of the question.

4. A motion to fix the day to which the House shall adjourn, a motion to adjourn and a motion to take a recess, shall always be in order, except when the House is voting or when the last business transacted was a motion to fix the day to which the House should adjourn, a motion to adjourn or a motion to take a recess; but this rule shall not authorize any such motion when another member has the floor.

The hour to which the House adjourns shall be entered in the Journal.

5. On motion of any member before the question is put, a question shall be divided if it includes proposition so distinct in substance that one thing taken away a substantive proposition shall remain.

6. A motion to strike out and insert is indivisible, but a motion to strike out being lost, shall neither preclude amendment nor a motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

7. Whenever a motion to reconsider shall be laid on the table it shall require a two-thirds majority to take from the table.

RULE 25.

Motions Decided Without Debate.

All incidental questions of Order, arising after an undebatable motion is made, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

RULE 26.

Members to Vote, Unless Excused.

Every member, present when a question is put, shall vote, unless the House shall, for special cause, excuse him.

RULE 27.

Tie Vote.

In all cases where the House shall be equally divided, the question shall be lost.

RULE 28.

Reconsideration.

1. When a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side, on the same or succeeding day in which the House shall be in session to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report, a motion to fix the day to which the House shall adjourn, to adjourn or take a recess, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any member may call it up for consideration; provided that such motion, if made during the last six days of the session, shall be disposed of when made.

2. No bill, petition, memorial or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider.

3. No bill, petition, memorial or resolution shall be considered by the House unless in the possession of the House or in a committee thereof. In the event that a bill, petition, memorial or resolution is returned to the House from the Senate, a motion to reconsider the action of the House taken on such bill, petition, memorial or resolution may be made by any member who voted on the prevailing side, on the same or succeeding day in which such bill, petition, memorial or resolution is returned to the House.

RULE 29.

Possession of Senate Bills.

Whenever the House shall fail to concur in any Senate Bill the Chief Clerk shall hold the same through the succeeding Legislative day in which the House shall be in session, before returning the same to the Senate.

RULE 30.

Previous Question.

1. A motion for the previous question shall be in order upon the main question, the immediately pending motion or upon an entire group

of adhering motions under consideration, and may include a bill to its final passage or rejection, and may be passed by a majority vote if a quorum be present. The effect of the previous question shall be to cut off all debate and to bring the House to a direct vote upon the question or questions upon which it has been ordered, provided that when the previous question is ordered on any proposition upon which there has been no debate, it shall be in order to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to the proponents and one-half to the opponents of such proposition.

While the previous question is in effect, it shall be in order for the Speaker to entertain or to submit a motion to commit, with or without instructions, to a standing or select committee.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. After a motion is made for the previous question, all incidental questions of order arising therefrom and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 31.

Amendments.

When any main question is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute to which one amendment may be offered, but which shall not be voted on until the original matter is perfected; but neither the substitute nor amendment to the substitute may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution or corrections in the history thereof shall be in order immediately preceding the third reading, and shall be decided without debate.

RULE 32

Amendments of the Senate.

Any amendment of the Senate to any House bill shall be considered in the Committee of the Whole House.

RULE 33.

Endorsement of Bills.

All bills and resolutions offered in the House by any member or committee shall be endorsed by the member or committee offering the same.

RULE 34.

Form of Bills.

Every bill, except appropriation bills and bills for the codification and revision of laws, shall contain but one subject which shall be clearly expressed in the title; and no bill shall be altered or amended so as to change its original purpose. All bills shall be numbered at the head and foot of Page One thereof. All bills which are amendatory in their nature shall have all new matter added thereto set out in italics and where any matter has been deleted there shall be shown at the place from which the deleted matter has been taken the following: "(matter deleted)."

Section 23, Article 5. — The enacting clause of every bill shall be as follows: "Be it enacted by the Legislative Assembly of the State of Montana."

Section 30, Article 5. — All bills upon introduction shall be presented to the Clerk in triplicate. The lines in the body of the printed bill shall be numbered consecutively by sections.

This rule shall not be suspended.

RULE. 35.

Reading.

1. Every bill shall receive three several readings previous to its passage, but no bill shall receive its second and third readings on the same day, except on the last day of the Session. No bill shall be committed or amended until it shall have been read twice, and no bill shall receive its third reading that has not been referred to a committee of the House or a joint committee of the Senate and House. All bills, memorials or joint resolutions on their first and second readings, unless otherwise provided in these rules (Rule 42 provides that Appropriation Bills shall be read at length on third reading and on second reading shall be read by section except that the section containing the appropriation shall be read at length), shall be read by their titles; the third reading of all bills shall be in full. This rule shall not be suspended.

Except that upon notice duly given to the House at least one day prior to the third reading of any bill, such third reading may be dispensed with by a two-thirds vote of the members present.

2. On the third reading of a bill no amendment, except to fill blanks, shall be received except by the unanimous consent of the members.

3. Upon the third reading of a House bill the question shall be thus stated: "This bill having been read three several times the question is, 'Shall the bill pass'?" Upon the third reading of a Senate bill, the question shall be stated thus: "This bill having been read three several times the question is, 'Shall the bill be concurred in'?"

4. A motion to lay upon the table shall be in order on the second and third readings of a bill.

RULE 36.

Introduction of Bills.

1. No bill for the appropriation of money, except for expenses of State Government, shall be introduced within ten days of the close of the session, except by unanimous consent. This rule shall not be suspended. Section 21, Article 5.

2. No bills may be introduced after the 20th day, except revenue bills may be introduced up to and including the 25th day, and except substitute bills for bills pending and appropriation bills.

3. No bill shall be introduced or re-introduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House.

RULE 37.

Printing of House Bills.

All House Bills after the second reading shall be referred to the proper committee and if a majority of such committee recommend the passage of the bill and such report is adopted by the House, one thousand copies thereof as reported shall be printed. A bill may also be ordered printed by an affirmative vote of one-third of the members of the House present.

All bills referred to the Bills Committee for printing must be reported within three days, unless further time is granted by the House. When House Bills are ordered printed by less than a majority vote, such bills shall not be placed on General Orders except upon motion carried by two-thirds of the members present. Section 22, Article 5.

RULE 38

Consideration of Bills.

1. No bill shall be considered in the House until it has first been considered by the committee of the House and printed for the use of the members. This rule shall not be suspended.

2. One day must elapse after the printing of any bill and the receipt of same by the House before it can be considered in Committee of the Whole. Section 2 of this rule shall not be effective after the forty-eighth legislative day.

RULE 39.

Reference of Bills, Ect.

On the second reading, every bill or measure requiring three readings shall be referred to an appropriate committee by the Speaker, unless the House, by two-thirds vote, makes a different order in relation thereto. This rule shall apply as well to bills and memorials originating in the Senate as those originating in the House. But bills reported by joint committees shall, if accepted by the House, at once go to the Bills Committee for printing. House Bills reported with amendments shall have such amendments incorporated in the bills before printing.

RULE 40.

Title of Bill to Be Recited.

Every committee in reporting on any bill or memorial shall recite at length in report the title of such bill or memorial, as well as the number thereof; provided, however, that the Committee on Bills shall be required to report the bill by number only.

RULE 41.

Reading of Memorials.

If the House shall dispense with the printing of any memorial, such memorial shall be read at length once before its final passage and this rule shall not be suspended.

RULE 42.

Reading of Appropriation Bills.

The second reading of bills appropriating money shall be by section only, except that the section containing the appropriation shall be read at length. The third reading of such bills shall be at length. A suspension of this rule shall not be made.

RULE 43.

General Orders.

House and Senate measures reported by committees and accepted by the House shall, when correctly printed, constitute the General Orders. The business of General Orders shall be considered in the Committee of the Whole.

Bills in the General Orders shall be arranged therein by the Clerk in the order in which they are reported or referred thereto, as aforesaid, and shall be considered in the same order unless the House shall otherwise direct.

RULE 44.

Engrossing of Bills.

Every House bill when reported favorably by the Committee of the Whole and upon adoption of the report shall be engrossed under direction of the Committee on Bills and when reported correctly engrossed by such committee shall be placed on the calendar for third reading.

The Engrossing Clerk shall make, file and retain a correct copy of every bill engrossed.

All amendments made or recommended by the Committee of the Whole shall be made a part of the engrossed bill provided that when a House bill is well written without interlineation or erasure, and no amendments thereto have been recommended by the Committee of the Whole, it shall not be necessary for the same to be retyped.

RULE 45.

Recommitment Previous to Passage.

A bill may be recommitted at any time previous to its passage.

RULE 46.

Enrollment of Bills.

The Committee on Bills shall not report any bill as correctly enrolled that has any words interlined therein or when any words have been erased therefrom except that when the title of any bill shall begin with the words, "A Bill for an Act, etc.," the Committee on Bills shall omit on the enrolled bill the words, "A Bill for an Act Entitled," nor until the author of the bill, if then in attendance, or in case of a committee bill the chairman of the committee or a member of the committee designated by the chairman, if such chairman or member is in attendance have been given an opportunity to examine the same in the presence of the chairman or some other member of the Bills Committee or its clerk.

RULE 47.

Transmission of Bills to Senate.

Each bill which passes its third reading shall be certified by the Clerk and by him transmitted to the Senate. The day of transmission shall be entered on the Bill Books of the Clerk.

RULE 48.

Prohibiting "Riders."

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House. This rule shall not be suspended.

RULE 49.

Roll Call.

A roll call shall be ordered upon the request of ten members and the

Ayes and Noes shall be entered upon the Journal at the request of two members.

This rule shall not be suspended.

RULE 50.

Presentation of Petitions, Etc.

Communications and petitions shall be addressed to the Speaker and shall be read by the Clerk and when introduced by a member shall bear the name of the member introducing same.

No argument for or against any proposed legislation, unless properly signed by person or persons responsible for same, shall be placed upon the desks of the members or circulated within the Chamber.

RULE 51.

Introduction of Resolutions.

Any member offering a resolution in the House may read the same in his place before sending it to the Chair. It shall then be read by the Clerk, unless otherwise ordered by the House. All resolutions which contemplate the expenditure of money by the State and not requiring the signature of the President of the Senate and the Speaker of the House, shall be read in full three several times, and roll call shall be had thereon.

RULE 52.

Reading of Papers.

When the reading of a paper by the Clerk other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

RULE 53.

Hall of the House.

The Hall of the House shall be used only for the legislative business of the House, and for the caucus meetings of its members, except upon occasions where the House by resolution agrees to take part in any ceremony to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

RULE 54.

Who May Be Admitted to the Floor.

Persons of the following classes may be admitted to the floor of the House during the sessions thereof, viz.: All state and legislative officers, members of the late state constitutional convention, members of the Senate, ex-members of the Legislative Assembly, members of Congress, judges of the courts, all editors of newspapers within the state, reporters and correspondents of the press having credentials as such, contestants for seats in the House and members of the immediate family of House members; and no one shall be permitted to lobby on the floor of the House at any time.

RULE 55.

Withdrawal of Papers.

No memorial or other paper presented to the House shall be withdrawn from its files without leave, and if withdrawn therefrom, certified copies

thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim the Clerk is authorized to transmit to the officer charged with the settlement thereof the paper on file in his office relating to such claim, or may loan temporarily to any officer of the Executive departments any papers on file in his office relating to any matter pending before such officer, taking receipt therefor.

RULE 56.

Adjournment.

The House shall not adjourn to any other place than the hall of the House nor for more than three days without the consent of the Senate. This rule shall not be suspended.

RULE 57.

Communications from the Executive Departments.

Estimates of appropriations and all other communications from the Executive departments intended for the consideration of any committee of the House, shall be addressed to the Speaker and by him submitted to the House for reference.

RULE 58.

Suspending and Changing Rules.

Every motion to amend or suspend a rule of the House shall be referred to the Committee on Rules and Journal which Committee shall report thereon upon the same day or the next legislative day. Reports of the Committee on Rules and Journal shall be adopted by a majority vote. Unless recommended by the Committee on Rules and Journal, no rule shall be changed or suspended or any rule adopted except by a two-thirds vote of the House, a quorum being present.

Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent.

RULE 59.

Authority on Parliamentary Practice.

1. The rules of Parliamentary Practice comprised in Roberts' Rules of Order shall govern the House in all cases in which they are applicable, and in which they are not inconsistent with these Rules and Orders of the House and the Joint Rules and Orders of the Senate and the House.

2. On questions of orthography, Webster's New International Dictionary shall be taken as the standard.

RULE 60.

Executive Session.

On motion made and seconded to close the doors of the House on the discussion of any business which may, in the opinion of the House, require secrecy, the Speaker shall require all persons, except the members and the Chief Clerk, to withdraw and during the discussion of said motion the doors shall remain closed and every member and officer of the House shall keep secret all such matters, proceedings and things whereof secrecy shall be enjoined by order of the House.

RULE 61.

Committee Bills.

All bills, joint resolutions or joint memorials, designated as commit-

tee bills, shall have the unanimous consent of the committee introducing the same before such bills, joint resolutions, or joint memorials may be received by the House.

RULE 62.

Authority to Use Electrical Voting System.

Unless otherwise specifically set forth in existing House Rules, any vote or roll call may be taken by means of the Electrical Voting System, which shall be under the control of the Speaker of the House.

RULE 63.

Procedure for Clerk and Speaker in Using Electrical Voting System.

When using Electrical Voting System the following procedure shall be in order:

Speaker: "House Bill No. (Or Senate Bill No.) having been read three several times, the question is, shall the bill pass the House ("as amended," if amended, or "shall be concurred in" if a Senate Bill.) Speaker rings bell. "Those in favor vote yea and those opposed vote no." Members cast their votes. Speaker then asks "Has every member voted?" (Reasonable pause) "Does any member wish to change his vote?" (Reasonable pause) "The Clerk will now record the vote."

Motion carried.

It was moved by Blewett that the 20 Joint Rules of House and Senate be adopted as the rules governing the Proceedings of this 38th Legislative Session.

Motion carried.

It was moved by Blewett that the following Republican nominees be elected as officers and attaches of the House of Representatives of the Thirty-eighth Legislative Assembly:

Speaker Pro-Tem.....	Fred O. Broeder, Jr.
Majority Floor Leader.....	Alex Blewett, Jr.
Chief Clerk.....	William Walrath
Sergeant-at-Arms.....	Casper N. Nybo
Chaplain.....	Rev. William E. Burkhardt

It was moved by Wayrynen that the following Democratic nominees be elected as officers and attatches of the House of Representatives:

Speaker Pro-Tem.....	Leslie Eskildsen
Chief Clerk.....	Walter Marshall
Sergeant-at-Arms.....	Tom Hackley
Chaplain.....	Rev. I. C. Gronneberg

Substitute motion was made by Blewett that the Chief Clerk cast 57 votes for the Republican nominees and 37 votes for the Democratic nominees. Substitute motion carried.

Motion was made by Blewett that the Speaker appoint a committee of five to notify His Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to deliver and also to learn the time set for the message.

Motion carried.

Thereupon, the Speaker appointed the following committee to notify the Governor: Hawks, Chairman, Dyktsra, Vice-Chairman, Jensen, Regan, Hanks.

It was moved by Blewett, and carried, that the Speaker appoint a committee of five to notify the Honorable Senate that the House is now organized and ready to transact business. The following committee was appointed: Broeder, Chairman, Haines, Vice-Chairman, Swanz, Aasheim, Laas.

Motion was made by Blewett that the Speaker, and the Majority and Minority Floor Leaders be ex-officio members of all committees. Motion carried.

Motion was made by Blewett, and carried, that in order for the committees just appointed to visit the Governor and the Senate, the House recess subject to the call of the Chair. House recessed.

House resumed. Mr. Speaker in the Chair.

A committee from the Senate consisting of Senators McGowan, Bentz and Jensen, was admitted and informed the House that the Senate was in session and ready for business, and sent greetings and best wishes.

The committee appointed to notify the Governor that the House was organized reported that it had so notified the Governor, and that he had informed the Committee he would deliver his message to a joint assembly on Tuesday, January 8, 1963 at 1 o'clock p.m. The Governor sent felicitations to the House, and good will for a successful session.

The committee appointed to notify the Senate that the House was organized, reported that the message had been conveyed, and that the Senate wished to assure their complete cooperation.

The above committees of the House, having fulfilled their tasks, were discharged by the Speaker.

The Speaker made the following committee appointments:

Affairs of Cities: Jensen, Chairman, Hibbard, Vice-Chairman, Beam, Schye, Spilde, Deschamps, Holtz, Lucas, Selstad, Bradford, Lewis, Lombardi, Gill, Schepens, Slaby.

Agriculture and Irrigation: Leuthold, Chairan, Asbjornson, Vice-Chairman, Baldwin, Nichols, Deschamps, Holtz, Nutting, Rehberg, Woodard, Brenner, Bailey, Stranahan, Twedt, Hanks, Egan.

Appropriations: Hawks, Chairman, Nichols, Vice-Chairman, Haines, Goan, Thompson, Hibbard, Mathers, Adams, Jenkins, Asbjornson, Etchart, Regan, Bardanouve, Laas, Eskildsen, Raundal, Aasheim.

Bills: Murray, Chairman, Nash, Vice-Chairman, Selstad, Harper, Watt.

Business and Industry: Dykstra, Chairman, Beam, Vice-Chairman, Lundgren, Jenkins, Swanz, Casey, East, Holtz, Smiley, Tooke, Regan, Rearden, Bashor, Good, Welch.

Constitution, Elections and Federal Relations: Haines, Chairman, Thompson, Vice-Chairman, Rosell, Beck, Hemstad, Lucas, McNamer, Nelson, Turnage, Laas, Shelden, Egan, Good, Slaby, Zimmer.

Education: Kvaalen, Chairman, Rosell, Vice-Chairman, Wright, Leuthold, Seymour, Beam, Haughey, Lund, Northey, Smiley, Aasheim, Raundal, Brenner, Davis, Hanks, Spahr, Watt.

Fish and Game: Pierce, Chairman, Seymour, Vice-Chairman, Reinecke, Smith, Spilde, Jenkins, Boughton, Garrison, Northey, Bailey, Gill, Osburnsen, Tracy, Welch, Zimmer.

Highways: Broeder, Chairman, Reinecke, Vice-Chairman, Leuthold, Lundgren, Pierce, Schye, Seymour, Swanz, Turnage, Laas, Judge, Lewis, Egan, Osburnsen, Spahr.

Judiciary: Haughey, Chairman, Murray, Vice-Chairman, Dykstra, Keller, Jensen, Hemstad, Lucas, McNamer, Turnage, Bailey, Bradford, Johnson, O'Hair, Reardon, Zimmer.

Labor and Compensation: Weeks, Chairman, Spilde, Vice-Chairman, Haughey, Thompson, Goan, Boughton, Casey, East, Hemstad, Shelden, Harper, Lombardi, Flynn, Johnson, Judge.

Legislative Administration: Nichols, Chairman, Dykstra, Vice-Chairman, Broeder, Pierce, Regan.

Livestock and Ranges: Smith, Chairman, Mathers, Vice-Chairman, Hibbard, Adams, Falkenstern, Etchart, Garrison, Hawks, Nelson, Woodard, Bashor, Brenner, Cummings, Flynn, O'Hair.

Public Health, Welfare and Safety: Keller, Chairman, Haines, Vice-Chairman, Crum, Reinecke, Weeks, Baldwin, Beck, Nash, Selstad, Bashor, Bradford, Healy, Rearden, Schepens, Twedt.

Rules and Journal: Blewett, Chairman, Broeder, Vice-Chairman, Hazelbaker, Regan, Wayrynen.

State Administration: Wright, Chairman, Etchart, Vice Chairman, Murray, Rosell, Beck, Boughton, Garrison, Hawks, Lund, Stranahan, Eskildsen, Bardanouve, Cummings, Davis, Welch.

Townships and Counties: Adams, Chairman, Lundgren, Vice Chairman, Asbjornson, Baldwin, Smith, Falkenstern, Nutting, Tooke, Wright, Hanks, Aasheim, O'Hair, Osburnsen, Slaby, Twedt.

Ways and Means: Schye, Chairman, Crum, Vice-Chairman, Broeder, Falkenstern, Kvaalen, Rehberg, Smiley, Swanz, Weeks, Healy, Stranahan, Davis, Harper, Spahr, Tracy.

REPORTS OF STANDING COMMITTEES

January 7, 1963

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House:

Chief Clerk.....	William Walrath
Assistant Chief Clerk.....	John E. Ehlers
Sergeant-at-Arms.....	Casper N. Nybo
First Assistant Sergeant-at-Arms.....	D. L. "Casey" Jones
Assistant Sergeant-at-Arms.....	Dr. J. I. Westphal
Chaplain.....	Rev. William Burkhardt
Bill Clerk.....	Bernice Mitchell
Assistant Bill Clerk.....	Judy M. Tobin
Journal Clerk.....	Sharon Hansen
Assistant Journal Clerk.....	Janet Jensen
Journal Steno.....	Ellen Reid
Law Clerk.....	Carl Smithwick
Steno to Law Clerk.....	Alice L. Holland
Payroll Clerk.....	Thomas C. Smith
Secretary to Appropriations Committee.....	Donna Muffick
Clerk to Chief Clerk.....	Rosella Dallas
Reading Clerk.....	A. E. Lippert
Supply Clerk.....	Robert F. Luke
Printing Clerk.....	Frank Smith
Bills Clerk.....	Corinne Mooney
Enrolling Clerk.....	Bertha Streeter
Engrossing Clerk.....	Cleo O. Robinson
Chief Stenographer.....	Minnie Mae Erickson
Mimeograph Clerk.....	Agnes R. Screnar
Assistant Mimeograph Clerk.....	John P. Morgan

Mimeograph Department Clerks.....	John Goggin Jeff Peterson Agnes Mannix Ethel Chandler Terry W. Ellis
Secretary to Speaker.....	Mrs. Frances Weatherly
Secretary to Majority Leader.....	June Connolly
Secretary to Minority Leader.....	Juanita Fontana
Postal Clerk.....	Alma E. Dupuis
Mail Clerk.....	A. A. Klemme Carol DeWolf Ruth A. Drennon Genevieve Albertson Carolyn Gordon
Stenographers.....	Betty Scott Miriam J. Stock Anne Tracy Lila S. Schwefel Alice L. Rose Martha Pool Brass Betty Kelleher Mary M. Marron Helen C. Dawson Sandra Rose Olson Mary E. Allen Ethlyn M. Schneider Donna Zimmerman Alice S. Conway Mary Louise Graham Vera P. Clarke Helen B. Misowic Marguerite Maxwell Hallie Weydemeyer Cheryl O'Hern
Typists.....	Esther L. Schmidt Jennie H. Lee Lois H. Combs Beryl L. Hunter Ruth M. Saunders Katherine R. Ranf Beverly Hould Betty E. Teets Mrs. Charles Waddell Maxine M. Clark Bernice Beaver Carmen H. Dewey Ann D. Clancy Edna N. Pippy Edna Guffey
Chief Proof Reader.....	Mrs. Ernest Immel
Proof Readers.....	Lucy A. Fluhr Anna May DeWolf Tom Mulholland Kathlyn A. Helfert Dorothy Carlson Catherine M. Bradford Mrs. D. R. Satterthwaite Barbara J. Young Zita Z. Graveley Bonnie Allen Lillian B. Boner Mrs. Jean M. Delaney D'Elta Claire Guthrie Mildred J. Johnson Ruth A. Massey Nancy M. Morrison Mary Jean Morrison
Pages.....	Jim Smiley Troy Evans Sam Kitzenberg Maurice Goan Kenneth Foster
Doorkeepers.....	Homer Hancock Stacy Jerome — Guide Don Hoffman
Watchman.....	Walt Caddell
Night Watchmen.....	Joseph D. Ragen Quay L. Painter
Elevator Operators.....	Gertrude A. Kennard Mrs. Alma M. Kane
Janitors.....	Paul Smith John I. Russell William Elliott

NICHOLS, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 1, introduced by Hawks: A bill for an act entitled: "An act to appropriate money for the Legislative Assembly and for the payment of per diem to the Officers and Attaches and for incidental expenses of the Thirty-eighth Legislative Assembly of the state of Montana." Referred to Committee on Appropriations.

House Bill No. 2, introduced by Hawks: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-eighth Legislative Assembly of the state of Montana." Referred to Committee on Appropriations.

House Bill No. 3, introduced by Blewett, Dykstra: A bill for an act entitled: "An act amending section 91-4414, R.C.M. 1947, to provide that property transfers to trusts and foundations shall be totally exempt from inheritance tax." Referred to Committee on Judiciary.

House Bill No. 4, introduced by Blewett, Pierce, Seymour: A bill for an act entitled: "An act to provide for the display of a visible number on the person of a licensee while hunting, fishing or trapping." Referred to Committee on Fish and Game.

House Bill No. 5, introduced by Haines, Bardanoue, Deschamps, Nelson, Northey: A bill for an act entitled: "An act to amend section 76-115, Revised Codes of Montana, 1947, relating to the disposition of funds by the State Soil Conservation Committee; providing that such funds shall be allocated among the State Soil Conservation Districts twenty-five (25) percentum based on the number of operators within each district and seventy-five (75) per centum according to need as determined by the state committee; providing that the request for appropriation state the number of operators per district." Referred to Committee on Appropriations.

House Bill No. 6, introduced by Haines, Bardanoue, Deschamps, Nelson, Northey: A bill for an act entitled: "An act to appropriate twenty-four thousand dollars (\$24,000.00) to the State Soil Conservation Committee for state soil and water conservation district operations for the period beginning July 1, 1963, and ending June 30, 1965; providing that the appropriation herein shall be in addition to that appropriated or to be appropriated for administrative expenses." Referred to Committee on Appropriations.

House Bill No. 7, introduced by Dykstra, Wright: A bill for an act entitled: "An act to amend section 68-901, R.C.M. 1947, relating to the allowances to be paid members of the public employees' retirement system of the state of Montana upon their retirement from state service, and to amend section 68-1101, R.C.M. 1947, relating to the benefits payable upon the death of members of the public employees' retirement system." Referred to Committee on State Administration.

House Bill No. 8, introduced by Murray, Haughey: A bill for an act entitled: "An act amending section 84-5606, R.C.M. 1947, to provide that the cigarette excise tax is a direct tax on the consumer." Referred to Committee on Ways and Means.

House Bill No. 9, introduced by Dykstra, Jenkins: A bill for an act entitled: "An act to amend section 11-1914, Revised Codes of Montana, 1947, relating to the duties of the board of trustees of the Fire Department Relief Association; providing such board with the power and authority to invest in and purchase certificates of deposit in addition to bonds and securities." Referred to Committee on Business and Industry.

House Bill No. 10, introduced by Harper, O'Hair, Twedt, Bradford: A bill for an act entitled: "An act requiring that meetings of public agencies shall be open to the public and press." Referred to Committee on Judiciary.

House Bill No. 11, introduced by Spahr: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this

state shall be deemed to have given consent to a chemical test or tests of blood, breath, saliva or urine for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith and providing for a notice statement to be contained in drivers' licenses and permits hereafter issued." Referred to Committee on Highways.

House Bill No. 12, introduced by Jenkins, Dykstra: A bill for an act entitled: "An act to amend section 11-1310, Revised Codes of Montana, 1947, relating to the investment of city or town moneys from funds for which there is no immediate demand; providing that moneys realized from the sale of bonds, for which there is no immediate demand, may be invested by a city or town in approved securities; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 13, introduced by Jenkins, Dykstra: A bill for an act entitled: "An act to amend section 16-2050, Revised Codes of Montana, 1947, relating to school district or county high school funds realized from bond sales for purposes of construction; requiring the officer in charge of such funds to invest idle funds, when requested by the school district or county high school governing body, in certificates of deposit or in short-term obligations of the United States of America, and to credit interest earned to the sinking fund of such school district or county high school, notwithstanding other provisions." Referred to Committee on Business and Industry.

House Bill No. 14, introduced by Dykstra, Jenkins: A bill for an act entitled: "An act to amend section 16-2001, Revised Codes of Montana, 1947, relating to the investment of sinking funds of counties, cities and towns; providing counties, cities and towns with the power and authority to invest in and purchase certificates of deposit in addition to bonds and securities." Referred to Committee on Business and Industry.

House Bill No. 15, introduced by Dykstra, Jenkins: A bill for an act entitled: "An act to amend section 16-2044, Revised Codes of Montana, 1947, relating to the investment of county bond sinking and interest funds; providing that such funds may be invested in certificates of deposit." Referred to Committee on Business and Industry.

House Bill No. 16, introduced by Haughey, Murray, Hazelbaker, Haines, Regan, Bardanoue: A bill for an act entitled: "The Realty Certificate Act" providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947." Referred to Committee on Judiciary.

Motion was made by Blewett that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

HAWKS, Chairman

Report adopted.

Motion was made by Blewett that the House adjourn until 12:30 p.m. Tuesday, January 8, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 8, 1963

House convened, pursuant to adjournment, at 12:30 P.M.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

A committee of three consisting of Senators Thiessen, Cole and Durkee appeared and informed the House that the Senate was ready to join in joint session with the House to hear the Governor's message.

Motion was made by Blewett that the House recess until adjournment of joint session and on call of Chair. Motion carried.

House resumed, in joint session with the Honorable Senate. Roll call of the assembly showed all members of both bodies of the Legislature present, except Groff, excused.

Motion was made by Senator Brenner of Beaverhead that a committee of five members be appointed to notify the Governor that the Senate and the House of Representatives had convened in joint assembly and were ready to hear his message. Motion carried.

The President of the Senate, occupying the Chair for the joint session, appointed the following committee: Senator Nixon, Senator McDonnell, Representative Seymour, Representative Reinecke, and Representative Eskildsen.

His Excellency, Tim Babcock, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered his address:

"Mr. President, Mr. Speaker, and Members of the Thirty-eighth Legislative Assembly:

Those of us who are here today as elected officials of the State of Montana have been granted an unusual privilege.

That privilege is this: We have the opportunity . . . and, with it, we have the authority . . . to accomplish the things good for the people we want most to serve.

Those people are our friends, our neighbors and our own families . . . the people of Montana.

We have been honored by them, and we have been placed in positions of high trust. This is a responsibility we must take seriously for what we do here affects every man, woman and child in our state.

My message to you today will be brief.

First, I am pleased to report that our economic condition is excellent and that our outlook for the next two years is as bright as it ever has been in our history.

We have enjoyed an upsurge of industrial development and expansion which has exceeded our average of the past 10 years by 2 1/2 times. There is every reason to expect it to continue.

Our employment is at a record level.

Further, through careful management of funds, the State of Montana has erased a \$4,000,000 deficit, and we will enter June of 1963 with a balanced budget.

Our revenues make it possible for us to carry out every service of state government during the next biennium with no increase in taxes and without deficit spending.

For that reason, I am recommending no new tax measures during the 1963 legislative session.

Two years ago, the Montana legislature, accepting policies set forth by our late Governor Donald G. Nutter, initiated a much-needed belt-tightening program to place the State of Montana on sound financial footing.

The objectives of that program have been reached. We stand now on firm ground, financially capable of making the big advancements all of us want for our state institutions and departments.

I have submitted to you the Montana budget for the 1963-65 biennium. It is a realistic budget which has been prepared by the State Budget Director and his staff after many hours of consultation with administrators and department heads.

Of particular significance is the fact that the budgets have met with the approval of the administrators. Funds programmed for their departments are adequate to meet their needs for the next two years.

As you study the budget, you will note that increased appropriations have been recommended for virtually every department, both for operational expenses and for salaries.

It is a proven business principle that if we are to retain competent personnel, the salaries paid must be competitive with those offered for like assignments in private enterprise and government.

If sanctioned by you, the most substantial increases would go to the six units of our University System, our Custodial Institutions and our elementary and secondary schools.

The budget you now have in your hands will keep our revenues and expenditures in balance. It is a realistic appraisal of Montana's financial

needs and capabilities. It has been carefully prepared over a period of two years, and it will serve you as a sound guideline for carrying out your work.

As Montana's elected representatives, we have two obligations which surpass all others.

The first is the education of our young people.

The second is the welfare of those unfortunate persons in our custodial institutions.

Our responsibility in the field of education extends the wide range from the elementary school through the university unit.

At the elementary and secondary levels, it has become increasingly evident that the foundation program formula adopted for financing Montana's schools in 1949 no longer fulfills its original purpose. There exists today a wide variation of mill levy effort for basic foundation program financing.

You have received copies of the report submitted by the Governor's School Foundation Study Committee. This report represents two years of voluntary effort by a dedicated group of 50 Montana educators and laymen who represent every section of the state. For the many hours they have spent studying, discussing and researching every phase of the foundation program, they are entitled to our highest commendation.

I hope that you will give serious consideration to the proposals set forth in the committee's report and that you will accept its major recommendations.

These recommendations will permit Montana to accomplish the following:

1. Eliminate school district deficiency levies.
2. Adopt a uniform basic support level for educational finance as it relates to property taxation.
3. Assure school districts of budgeting authority of approximately 75% of each school district's general fund budget.
4. Assure school districts of a financing framework which will guarantee that funds will be available for this level of budget authority.

Our higher education facilities which make up the University System of Montana are among the state's greatest assets. Our six university units provide outstanding opportunities for young people of talent to secure the basic knowledge and skills for productive work and leadership in our society. In addition, they afford many opportunities for service to agricultural, business and professional groups throughout the state.

Montana people expect these institutions, as responsible agencies, to become ever more important to the state and the nation. The recognized goal for higher education in Montana is **top quality** performance in all programs at **all** units.

To this end, we have encouraged the Regents and the university administrators, during the past two years, to study carefully the present and future roles of each university unit.

The goal of this Master Plan Study is that of making certain that each dollar spent for higher education contributes fully to the objective of quality and that waste and unnecessary duplication are avoided.

The end desired is the finest system of higher education possible within the limitation of our resources.

During this same period, the institutions, in cooperation with the Budget Director, have developed and introduced a new uniform budgeting and accounting system which will make an evaluation of education programs and dollars spent much easier to determine.

I am recommending a considerable increase in the allocation of funds for higher education in keeping with the state's improved financial situation. I am pleased to report that this operational budget has the approval of the Regents and each of the institutional executives.

We are agreed that it will go far toward improving the relative position of our institutions in comparison to other schools of like character.

Much of the increase is allotted to faculty salaries to bring them into better competitive relationship with those in similar institutions of the area.

Some additions to staff also are provided, together with upward adjustments in operational funds.

This budget proposal, if approved, will give each of our institutions an opportunity to take a big step toward the long-range goal of excellence. For the welfare of our young people and the future intellectual, economic and social health of Montana, I urge you to give it your most favorable consideration.

I would call your attention now to our custodial institutions, for which substantial budget increases also have been recommended.

During the past year, we have initiated a highly successful pilot program whereby better utilization is being made of facilities at Boulder, Galen and Warm Springs. Fifty persons who lack the capacity for learning have been transferred from Boulder to Galen. Transfers of trainable persons from Warm Springs to Boulder now are being accomplished, although necessarily slower.

Galen has excellent facilities which will accommodate from 100 to 125 more occupants. By making coordinated use of the three institutions, we can look for the waiting list at Boulder to be eliminated by 1964.

You will note we have provided additional funds for Galen to care for the increasing number of occupants.

Five of our custodial institutions are responsible to the Board of Education. Four answer to the Board of Examiners. One is supervised by a Board of Managers.

The custodial institutions have common administrative problems.

It would be in their best interests and that of their occupants if all of them were answerable to a central authority devoting its full time to custodial unit affairs.

For that reason, I ask that you consider establishing a Custodial Unit Board with a well-qualified full-time executive secretary headquartered in Helena. Such procedure would give our custodial units the sound administrative framework so vitally needed.

As representative of the people, I hope that you will make it a point to visit our custodial institutions. They are open to public inspection at all times. Your first-hand knowledge of the conditions which exist at our institutions can serve to prevent misrepresentation to the public.

The State of Montana has vital need for a Building Commission.

Since 1889, when Montana became a state, the construction of buildings has necessitated major expenditures of taxpayer funds.

At present, Montana owns more than 1,600 buildings valued at more than \$90,000,000. In the past, at least 13 state agencies have been authorized building powers. As a result, we have seen wide variance of architectural design, even at identical locations.

We have had disputes arise over materials used.

We have had reason for concern over value received for funds spent.

The three agencies now active in the construction of state buildings are the Board of Regents, the Montana Highway Commission and the Board of Examiners. The extensive building powers of the Board of Regents were limited by the 1961 legislature to the construction of dormitories and other student housing facilities, subject to certain restrictions by the Board of Examiners.

Those who serve on the Board of Regents, the Highway Commission and the Board of Examiners are neither architects nor buildings engineers . . . nor are they expected to be. Yet they have the responsibility for decisions involving many hundreds of thousands of dollars spent in the construction of state buildings.

Montana deserves more than a hodge-podge building program. The state is growing, and construction of buildings accompanies growth. A Building Commission which includes a full-time architect and a building engineer as key personnel is vital to the interests of our people. The primary function of both would be that of assuring Montana of value received for funds spent. They would not be permitted to compete with private architectural or building firms.

The most important duty of any Building Commission would be the planning of a long-range building program to fulfill the state's expanding needs.

If a complete study by the Building Commission revealed a need for an accelerated building program beyond the means of our general fund, I would have no hesitancy in asking for a general construction bond issue.

I ask that you give the Building Commission proposal priority consideration during this legislative session so that you will have adequate time to view it in its every aspect. If properly instituted, it can be one of the most important and most valuable agencies in Montana government.

Any business organization is only as effective as the personnel which operates it. Government in Montana is the state's largest business.

We have the good fortune to have dedicated and well-qualified persons occupying key positions in our governmental departments. They are faced with the responsibility of making important decisions which affect whole segments of our population. For what they have accomplished . . . and for the work expected of them by the people of our state . . . they merit more substantial salaries.

Capable people never lack for opportunity. If we are to retain their services, certain salary increases are necessary. Recommendations for these have been set forth in the executive budget and funds for paying them are available.

The responsibility of individual decision also lies with the full-time elected official. Salaries set by law many years ago are inadequate compensation for those who must bear the burden of trust which goes with election to our principal offices.

I ask that the legislature give consideration to a new salary schedule calling for sizeable increases for full-time elected officials.

The education of our young people, the creation of a Custodial Board, the establishing of a Building Commission and salary consideration for

staff and elective officials are the four matters I ask you to give immediate attention. They will require much study and much discussion. Time, as always, is at a premium during a legislative session.

No less important are matters relating to highways, public welfare, state-owned lands and our thriving travel industry.

Since the 1961 legislature convened, the number of miles of highway contracted exceeds that of any biennium in Montana history.

A speedup is needed, however, and an accelerated highway program already has been launched.

Legislative action can help implement this program.

Many dozens of court cases still pending are clear indication that the major obstacle to highway construction in Montana is right-of-way acquisition.

The greatest number of court deadlocks can be traced to Montana's Value Commission system, which dates back to 1887. It is a system which has become too slow for modern requirements. It causes duplication of effort, disputes and stalemates.

As many states have learned, the outmoded Value Commission system can be eliminated and procedures established which assure both individual landowners and the state fair and impartial consideration.

Legislation is needed so that, in lieu of the Value Commission system, a district judge would make preliminary determination of proper payment for right-of-way land. In the event of appeal, a district court jury would make final determination.

I support this as objective legislation which would speed up right-of-way acquisition while fully protecting the rights of every landowner.

Present law in Montana requires that state construction funds be apportioned, according to formula, to the 12 financial districts of the state.

The financial district method has proved effective for Montana's primary, secondary and urban highway systems. As it affects the interstate system, however, it results in piecemeal planning and construction. This is proving costly, causing delays and resulting in lengthy inconvenience of the traveling public.

The interstate program is part of the national defense highway system, and it is important that the interstate be constructed in a logical manner. In the interests of more rapid advancement, I urge that legislation be enacted giving the Highway Commission discretion to spend interstate funds in one or more concentrated areas each fiscal year. This would permit orderly progress and would eliminate the part-by-part construction we are seeing today on our interstate system.

I wish to emphasize that this would in no way change our financial district method nor would it affect the funding of our primary, secondary and urban highway systems.

In the field of Public Welfare, it should be brought to your attention that by far the greatest demands for public welfare funds come from three counties.

During the past two fiscal years, these three counties have received \$1,242,825 in relief funds. Contrast this sum with the request made by the Public Welfare Board for \$1,602,122 for grants-in-aid to all counties for the next biennium.

It is inequitable that the taxpayers of 53 counties should finance their own welfare operations and, through many forms of taxation, also

provide most of the funds required to meet the welfare needs of three counties.

Together with the State Board of Public Welfare, I recommend that a more realistic permissive mill levy for the county poor fund be adopted. This will enable the few counties which continually rely upon the state for large grants-in-aid to assume a greater share of the expenses of operating their county hospitals and carrying forth other welfare activities.

We in Montana have much concern for those elderly residents of our state who lack the necessary resources for proper medical care.

I recommend to this legislative body that it set aside an appropriation of funds which will permit the State of Montana to meet the medical needs of these persons without subscribing to a federal program.

The care of our elderly men and women who are without the funds to care for themselves is a problem which can and should be met on a state level.

Our Board of Public Welfare is well qualified to administer such a program.

It can be accomplished efficiently with no additional staff and without the involvement of federal control.

I recommend also that legislation be enacted which would allow for an increase in the rental charged on the more productive state-owned grazing land. Competitive bidding determines the rental value on many of the more desirable tracts. However, rental on many more should be increased in line with their actual productivity.

During this session, you will be called upon to make an important decision relating to the financing of Montana Territorial Centennial Celebration in 1964.

The 1961 legislature adopted a resolution endorsing the centennial celebration idea. We have reached the point now when we must give serious thought to funds required and to plans for providing those funds.

The Territorial Centennial Celebration gives Montanans an opportunity to relive the state's dramatic history.

It is a statewide business venture as well.

Since it will attract many thousands of out-of-state visitors, it is closely allied to Montana's growing travel industry, which brings the state nearly \$100,000,000 in revenues annually.

The Montana Territorial Centennial Commission will present to you a workable plan which can benefit every community in our state and at reasonable cost. I ask that you give it favorable response.

The principal concern of all of us is that this be a totally successful celebration, skillfully promoted and proudly presented. The success of this celebration lies, not just with you, but with all Montanans. Any statewide undertaking is only as outstanding as our citizens and our communities choose to make it.

During 1962, we have been witness to another year marred by the tragedy of all-too-frequent automobile accidents. Our death toll was below that of 1961, but it still was the third worst accident year in Montana history.

At the state level, we have taken two steps which we hope may improve Montana's safety record.

We have budgeted for 10 more highway patrolmen to be employed over the coming two-year period.

Also, we have encouraged state departments to install seat belts in their vehicles.

Seat belts are a proven safety measure recommended by the National Safety Council, the Montana Highway Patrol and many other organizations. With the state taking the lead in seat belt installation, it is our hope that many individual Montana drivers also will install them in their automobiles. One life saved is worth every safety measure we can initiate.

The tragedy of almost every automobile accident is that it did not need to happen. Civic groups, businesses and individuals must be encouraged to undertake auto safety programs of their own choosing so that we can reduce the terrible death and injury toll on our highways.

All of us with automobiles have questioned our outdated system for purchasing automobile licenses each year. It has long seemed apparent that a method could be devised which would eliminate lengthy and frustrating waits in line in county assessors' and county treasurers' offices.

I urge that legislation be enacted which will provide for the licensing of motor vehicle on the anniversary date of purchase.

This would make possible the staggered registration and licensing of motor vehicles over a 12-months period rather than confining all license purchases to the first two months of each year.

Preservation, management and harvest of our fish and wildlife resources are of special interest to all Montanans. A recent economic survey reveals that Montanans spend more than \$60,000,000 annually to hunt and fish. These funds benefit every segment of our economy.

Fish and game matters are cause for wide differences of opinion, and our Fish and Game Department has a major public relations problem.

I have urged the commissioners and the director to place renewed emphasis on their information program so that the Montana public will better understand the department's management policies.

At the same time, I have asked that sound suggestions made by sportsmen, conservationists, ranchers, farmers and others be given earnest consideration and that, whenever possible, they be incorporated into the program.

In fish and game matters, interests of stockmen, sportsmen, conservationists, the Forest Service, the Bureau of Land Management and others all must be served.

Because I think a forward step is necessary and would meet the approval of most Montanans, I have urged the Fish and Game Department to undertake the following:

1. Obtain a realistic inventory of our big game numbers and the winter range available.
2. Make every effort to arrive at a compatible relationship between livestock and wildlife interests so that maximum multiple use can be made of public domain.
3. Initiate a program designed to recreate a balance between game and its habitat.
4. Study the overall effects of special and late game seasons.

Steady progress is being made with our system of state parks, which are becoming increasingly important as recreation areas for our own residents as well as for out-of-state visitors.

We hope to institute a test program this year whereby certain model

prisoners from the state penitentiary will be used as work crews in specified state parks. This has been attempted successfully in other states and has served the dual purpose of helping rehabilitate the prisoners and vastly improving the parks.

Use of prison crews will permit work projects to be undertaken in our state parks which, because of limited funds, could never otherwise be considered.

Because many thousands of vacationers camp or tow trailers today, good state parks are essential to Montana's tourist effort. Roadside parks, either built by individual communities or the state, also are needed if we are to succeed in keeping these visitors within our borders.

With this in mind, I have asked the Montana Highway Commission to speed up its construction of roadside parks on the primary system. This would be supplementary to the roadside rest area projects being undertaken on the interstate highway system in accordance with Bureau of Public Roads regulations.

In all our deliberations during the next 60 days, we must keep in mind that a fair margin of profit is essential to the free enterprise system and our way of life.

The spirit and challenge of free enterprise has given Americans a keener sense of responsibility, more human dignity and greater material prosperity than ever has been enjoyed by any human beings on the face of the earth.

Thus, it is vital that the legislation which you make law be designed to encourage growth and advancement. Profits are important in every phase of agriculture, business or industry. Only through profits can we have high wages, full employment and prosperity.

We are seeing remarkable progress and major financial investments made in Montana agriculture, mining, lumber, transportation, tourism, oil and other fields of man's endeavor.

No longer can it be said of Montana that we are too far removed from major markets to enjoy the benefits which well-rounded agriculture and industry can bring to our people. The jet age has changed that.

By remaining alert to the future, by planning carefully and by exercising sound judgment, we can enjoy all these benefits together with one other.

That is the unique privilege of living in Montana.

This legislative session can complete its work in the 60 days provided by law. I urge that every effort be made to accomplish this. You have the full cooperation of my staff and of your department heads, who have been instructed to make themselves available on call.

As a former legislative member, I realize the work and responsibility you now have. My office is always open to you, and I will be pleased to give every assistance possible on any matter of state.

More than at any time since our first legislative assembly, Montana people are looking forward with keen expectation to your accomplishments as their chosen representatives.

They are aware that Montana's financial house is in order.

They know, from leaders of both political parties, that no new taxes are necessary for the next biennium.

They know that funds are available for objective steps to be taken in the areas of state government most vital to Montana.

Yours is the privilege to act on their behalf. You will chart their courses for the next two years.

With the aid and guidance of an all-powerful Diety, you and I, and all duly elected servants, acting together, can and will further open the door of progress, stability and good government to all the citizens of the sovereign State of Montana.

It was moved by Senator Brenner, and carried, that one thousand copies of the Governor's message be printed and distributed to the members of the House and Senate, and to other state offices and interested parties. Motion carried.

The Governor having been escorted from the chamber, it was moved by Senator Brenner, that the joint assembly be dissolved and that the members of the Senate return to the Senate chambers.

The joint assembly having dissolved, the House resumed business. Mr. Speaker in the Chair.

Mr. Speaker: We, the Committee on Rules and Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 8, 1963

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House:

Mary Ann Mockel.....	Mimeograph
Alice Taylor.....	Mimeograph
Linda Kirby.....	Stenographer
Ruth Carstens.....	Proofreader
C. Lee Hoatson.....	Mailing Room
Ellen Reid.....	Journal Steno
Ed Harris.....	Janitor

NICHOLS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Speaker be authorized to appoint a Necrology Committee consisting of five members to memorialize those former members of this legislative body who have died during the past two years. Motion carried.

Thereupon, the Speaker appointed a committee consisting of Nash, Chairman; Rosell, Vice-Chairman; Turnage, Stranahan, Gill.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 17, introduced by Jensen, Thompson, Baldwin, East, Turnage, Regan, Bradford: A bill for an act entitled: "An act to amend sections 84-1802, 84-1818 and 84-1819, R. C. M. 1947, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to any county, incorporated city or town or school district or public tax supported organization of this state shall be exempt from said

tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits." Referred to Committee on Affairs of Cities.

House Bill No. 18, introduced by Jensen, Thompson, Baldwin, East, Turnage, Regan, Bradford: A bill for an act entitled: "An act to amend section 84-1813, R. C. M. 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns, school districts, and public tax supported organizations of this state shall be exempt from said tax." Referred to Committee on Affairs of Cities.

House Bill No. 19, introduced by Lucas, Selstad, McNamer: A bill for an act entitled: "An act to amend section 25-609, Revised Codes of Montana, 1947, relating to salaries of elected county officials; providing that salaries of such officials shall not be changed during the entire term for which such officials are elected regardless of any change in population or taxable valuation of the county during such term; providing that persons filling vacancies that occur in such offices shall receive the same salary as their predecessors for the remainder of the unexpired term; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 20, introduced by Hibbard, Bardanoue, Blewett, Nichols: A bill for an act entitled: "An act providing that moneys received by the state as indemnification for damage to state buildings may only be used to repair the damaged property, to replace the damaged property, or be transferred to the fund and account from which premiums were paid on the insurance policy." Referred to Committee on State Administration.

House Bill No. 21, introduced by Hibbard, Bardanoue, Blewett, Nichols: A bill for an act entitled: "An act creating a state board of equalization suspense account for the temporary deposit of moneys; authorizing the state board of equalization to refund overpayments of the inheritance tax and all other taxes collected by the board, plus any interest and penalty due the taxpayer, from the suspense account; amending sections 84-4501, 84-4825, 84-1812, 84-1818 R. C. M. 1947, and repealing sections 84-4953 and 84-4957 R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 22, introduced by Hibbard, Bardanoue, Nichols: A bill for an act entitled: "An act reorganizing the state treasury fund structure and revising state fiscal procedures for the appropriation, collection, spending and accounting of public and other moneys; amending sections 79-201, 79-306, 79-304, 79-601, 79-603, 79-813, 79-1011, 79-1015, 79-1202, 79-1203, 79-1206, 79-1208, 79-1211, 79-1212, 79-1213, 79-1214, 79-1401, 79-1403, 62-305, 3-233, 3-408, 3-420, 3-510, 3-602, 3-704, 3-904, 3-1709, 3-1715, 3-1717, 3-1906, 3-1910, 3-2004, 3-2007, 3-2207, 3-2302, 3-2315, 3-2503, 3-2803, 44-509, 44-510, 44-514, 78-501, 78-503, 84-1901, 75-3612, 75-3613, 75-3614, 75-3615, 75-3616, 75-3618, 75-3619, 75-3620, 75-3621, 75-3413, 75-2521, 75-3503, 75-3505, 75-4802, 82-3104, 75-5101, 69-3015, 11-1920, 11-1921, 15-2024, 40-2717, 82-1507, 82-1505, 82-1511, 82-1516, 82-1517, 89-116.1, 89-120, 89-402, 93-2011, 93-2014, 93-2015, 93-2020, 44-410, 44-412, 82-503, 46-105, 84-5212, 46-609, 46-704, 46-707, 46-804, 46-806, 46-911, 52-322, 46-1901, 46-1903, 46-1904, 46-1912, 46-1914, 46-1915, 84-5214, 84-2708, 3-2704, 46-904, 46-1006, 46-803, 84-5211, 91-502, 91-504, 91-505, 91-506, 91-507, 91-512, 91-523, 91-526, 66-1237, 69-3404, 66-1307, 66-1311, 66-1314, 66-2333, 66-2104, 66-2106, 66-2203, 66-2204, 66-1008, 66-1009, 66-607, 66-603, 66-608, 66-2503, 66-1527, 66-809, 82-702, 82-709, 66-407, 66-408, 66-108, 66-109, 66-513, 66-2403, 66-2407, 66-1405, 66-1410, 66-904, 66-906, 66-909, 66-919, 66-925, 66-2604, 66-2605, 66-2606, 46-2306, 46-2331, 27-409, 27-417, 26-121, 60-145, 60-147, 82-308, 78-302, 92-116, 92-119, 92-820, 69-1516, 92-840, 92-902, 92-1005, 92-1119, 92-1334, 92-1358, 92-120, 92-1101, 92-1105, 92-1102, 92-1103, 92-1106, 92-1110, 92-1114, 92-1115, 92-1116, 92-1122, 92-1123, 92-1112, 92-1113, 92-1302, 92-1343, 92-1357, 11-2030, 11-2025, 11-2026, 11-2028, 92-709A, 75-2708, 68-405, 59-1103.1, 59-1104, 59-1105, 31-201, 31-205, 31-206, 31-209, 31-210, 87-111, 87-112, 87-133, 84-5621, 71-901, 4-229, 32-1619, 84-1840, 84-1816, 28-111, 81-1410, 28-123, 28-124, 81-1601, 1-501, 84-1819, 5-910,

75-3701, 81-1001, 81-1005, 75-1315, 19-121, 53-122, 94-35-152.13, 80-720, 38-210, 80-322, 66-1812, 28-304, 75-706, 75-807, 75-811, 75-723, R. C. M. 1947; and repealing sections 79-103, 79-207, 79-401 through 79-408, 79-1008, 79-1204, 79-1205, 79-1210, 79-501 through 79-505, 3-203, 78-203 through 78-208, 78-401 through 78-416, 78-502, 78-601 through 78-620, 78-701 through 78-727, 78-728 through 78-736 enacted as sections 1 through 9, chapter 248, Laws of 1957, 78-801 through 78-818, 78-908, 75-5102, 89-116.2, 89-401, 89-403, 93-2021, 93-2022, 93-2025, 44-407, 3-2703, 46-241, 91-510, 91-511, 91-513, 66-2418, 81-2011, 81-2016, 81-2122, 81-2124, 27-313, 46-2330, 60-139, 78-305, 78-306, 78-307, 78-308, 92-837, 11-2021, 4-231, 80-115, 80-747, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 23, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 61-211, R. C. M. 1947, relating to adoption proceedings." Referred to Committee on Judiciary.

House Bill No. 24, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend the appendix of forms contained in chapter 13, Laws of 1961, being the M. R. Civ. P. by adding a new form to be numbered form 23 prescribing the form of a supersedeas bond." Referred to Committee on Judiciary.

House Bill No. 25, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend rule 55 (b) (2), M. R. Civ. P., relating to entry of defaults." Referred to Committee on Judiciary.

House Bill No. 26, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend rule 41, M. R. Civ. P., relating to dismissal of actions, by adding a new sub-section to be designated (e)." Referred to Committee on Judiciary.

House Bill No. 27, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Rule 8 (c), M. R. Civ. P., relating to pleading affirmative defenses." Referred to Committee on Judiciary.

House Bill No. 28, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 93-8505, R. C. M. 1947, relating to appearances in actions by defendants." Referred to Committee on Judiciary.

House Bill No. 29, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to repeal section 93-3004, R. C. M. 1947, relating to the manner and time of issuing an alias summons." Referred to Committee on Judiciary.

House Bill No. 30, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to repeal Section 93-3001, R. C. M. 1947, relating to commencement of civil actions." Referred to Committee on Judiciary.

House Bill No. 31, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend Section 93-2906, R. C. M. 1947, relating to change of place of trial." Referred to Committee on Judiciary.

House Bill No. 32, introduced by Committee on Judiciary: A bill for an act entitled: "An act to correct a mistaken and inadvertent purported repeal of R. C. M. 1947, Section 93-2824, known as the 'General Survival Statute' which was shown as superseded by Rule 25, M. R. Civ. P., adopted as Chapter 13, Laws of 1961, effective January 1, 1962; re-enacting said Section 93-2824, R. C. M. 1947; and making the same retroactive to accomplish the purpose of correcting the mistake contained in Chapter 13, Laws of 1961, Section 79, Rule 86, and Section 82, Table B, Section 83, Table C, and Section 84, and amending tables B and C of M. R. Civ. P. by deleting therefrom reference to section 93-2824, R. C. M. 1947." Referred to Committee on Judiciary.

House Bill No. 33, introduced by Committee on Judiciary: A bill for an act entitled: "An act to repeal Section 93-2719, R. C. M. 1947, relating to how objection that action not commenced in time may be taken." Referred to Committee on Judiciary.

House Bill No. 34, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Section 91-901, R. C. M. 1947, relating to the filing of contests on probate of wills." Referred to Committee on Judiciary.

House Bill No. 35, introduced by Leuthold: A bill for an act entitled: "An act amending Section 81-433, R. C. M. 1947, to provide for a minimum annual rental on state grazing lands of five (5) times the average price per pound of beef cattle on the farm in Montana for the previous year times the animal-unit-month carrying capacity of the land." Referred to Committee on State Administration.

House Bill No. 36, introduced by Bardanouve, Gill: A bill for an act entitled: "An act to amend Section 26-202.1, R. C. M. 1947, to provide that any child residing at the Montana Children's Center at Twin Bridges shall be entitled to fish and hunt game birds without a class "A" license." Referred to Committee on State Administration.

House Bill No. 37, introduced by Smiley, Thompson, Keller, Smith, Leuthold, Rehberg, Bardanouve, Laas: A bill for an act entitled: "An act changing the name of "Montana State College" to "Montana State University," "Montana State University" to "University of Montana," and "University of Montana" to "Montana System of Higher Education;" amending Section 75-402, R. C. M. 1947; and repealing Sections 75-401 and 75-402.1, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 38, introduced by Keller, Holtz: A bill for an act entitled: "An act to amend Section 10-602, R. C. M. 1947, to provide that the crimes of arson, and assault in the second degree, be included in those crimes for which a child over sixteen (16) years of age may be prosecuted as an adult." Referred to Committee on Judiciary.

House Bill No. 39, introduced by Hawks, Etchart, Hibbard, Smith, Garrison, Hazelbaker, Boughton: A bill for an act entitled: "An act to amend Section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-first Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of the Thirty-second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for an increase in the rental rates of state grazing lands having a higher than average carrying capacity, repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

Motion was made by Blewett that the House adjourn until 11:00 a. m. Wednesday, January 9, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER,
Speaker.

WILLIAM WALRATH, Chief Clerk.

THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 9, 1963

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 9, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 1 and 2, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do pass.

HAUGHEY, Chairman.

Report adopted.

January 9, 1963

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

HAUGHEY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Rules be suspended by unanimous consent for the purpose of placing House Bills Nos. 1 and 2 on General Orders this day. Motion carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 1, introduced by Bardanouve, Judge, Spahr, Regan, Johnson, Davis, Kvaalen, Shelden, Lewis: A joint resolution of the Senate and the House of Representatives of the State of Montana, ratifying the proposed amendment to the Constitution of the United States relating to the qualifications of electors. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 40, introduced by McNamer: A bill for an act entitled: "An act to amend Section 93-3702, R. C. M. 1947, relating to the verification of pleadings." Referred to Committee on Judiciary.

House Bill No. 41, introduced by Lucas, Murray, McNamer: A bill for an act entitled: "An act authorizing and empowering the supreme court of the State of Montana to regulate by rules, the pleading, practice and procedure in civil cases in the courts of the State of Montana, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits." Referred to Committee on Judiciary.

House Bill No. 42, introduced by Lucas, Mathers: A bill for an act entitled: "An act to provide that any person owning any interest in real property in the State of Montana may transfer the same to himself, and any other person, in joint tenancy, with the right of survivorship, without the necessity of any transfer to or through any third person." Referred to Committee on Judiciary.

House Bill No. 43, introduced by Nichols, Schye, Mathers, Haines, Smith, Hawks, Bardanouve, Laas: A bill for an act entitled: "An act to amend Section 5-910, Revised Codes of Montana, 1947, relating to special examinations and the fees for same; providing for the payment of examination fees by state boards, commissions, and agencies operating on earmarked revenue for all examinations, whether special or regular; repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 44, introduced by Aasheim, Eskildsen, Gill, Stranahan, Raundal, Kvaalen: A bill for an act entitled: "An act amending Section 84-1818, R. C. M. 1947, to provide that applications for refund of gasoline license tax shall be filed within twelve (12) months after the date of purchase." Referred to Committee on Highways.

House Bill No. 45, introduced by Blewett, Bradford, Seymour, Holtz, Haughey, Regan, Healy: 'A bill for an act entitled: "An act to amend Section 71-302, R. C. M. 1947, to provide that time spent in a licensed nursing home or hospital, or a private charitable institution, shall not be counted in determining county residence for the purpose of relief." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 46, introduced by Committee on Judiciary: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the Laws of Montana replacement volume number 3 (in two parts) and replacement volume number 4 (in two parts) of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 1 do pass.

That House Bill No. 2 do pass.

BROEDER, Chairman.

Report adopted.

Motion was made by Blewett that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 1 and 2.

MURRAY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 47, introduced by Leuthold, Jensen, Turnage, Adams: A bill for an act entitled: "An act to amend Section 16-1803, Revised Codes of Montana, 1947, relating to requests for bids in making purchases by county commissioners; providing that the requirements of said section shall apply also to contracts for the construction of buildings." Referred to Committee on Townships and Counties.

House Bill No. 48, introduced by Spahr, Wayrynen, Haines, Bradford, Slaby: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V of the constitution of Montana to provide for annual sessions of the legislative assembly." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 49, introduced by Leuthold, Jensen, Turnage: A bill for an act entitled: "An act to amend Section 11-808 R. C. M. 1947, providing for the transfer of municipal funds; providing that transfers may only be made of surplus funds at the end of the fiscal period and only when such fund will not require a levy in the following fiscal period; providing that such transfers may only be made by ordinance or resolution of the council." Referred to Committee on Affairs of Cities.

House Bill No. 50, introduced by Leuthold, Jensen, Turnage: A bill for an act entitled: "An act to amend Section 11-1202, Revised Codes of Montana, 1947, relating to awarding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dollars (\$1,000.00); providing that the requirements of said section shall apply also to contracts for the construction of buildings." Referred to Committee on Affairs of Cities.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 1 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Bardanoue. Total 1.

House Bill No. 2 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Bardanoue. Total 1.

Motion was made by Blewett that the House adjourn until 11:00 a. m. Thursday, January 10, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER,
Speaker.

WILLIAM WALRATH, Chief Clerk.

FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 10, 1963

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 23, 25, 26, 29, 30, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Legislative Administration recommend the following:

John Morgan—dropped.

Jeff Peterson from Janitor to Assistant Mimeograph Clerk.

William Elliott from Janitor to Mimeograph Clerk.

John Irwin Dahl as Janitor.

Shirley Bowman—Mail Room.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 9, respectfully reports as follows: That House Bill No. 9 do pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 24, 27, 28, 31, 32, 33, 34, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

January 10, 1963

Honorable David F. James
Honorable Frank W. Hazelbaker
Thirty-eighth Legislative Assembly
Helena, Montana

Gentlemen:

In accordance with Chapter 94-9849, Revised Codes of Montana, 1947, we are transmitting the following acts of executive clemency, covering the period from January 1, 1961, to January 1, 1963:

Case No. 2773—Clifford Amdahl, who on the 3rd day of May, 1951, was sentenced to forty-four (44) years in the Montana State Prison for attempted rape, was granted commutation of his sentence from forty-four (44) years to forty-two (42) years, February 14, 1961, after a public hearing was held January 21, 1961.

Case No. 2783—William Youpee, who on the 30th day of March, 1936, was sentenced to two (2) years in the Montana State Prison for rape, was granted full pardon, March 20, 1961, after investigation was made into the facts of the case.

Case No. 2784—Melvin Buckles, who on the 23rd day of January, 1935, was sentenced to one (1) year in the Montana State Prison for forgery and said sentence was suspended, was granted full pardon, March 20, 1961, after investigation was made into the facts of the case.

Case No. 2785—Melvin Buckles, who on the 27th day of December, 1935, was sentenced to one (1) year in the Montana State Prison for forgery was granted full pardon, March 20, 1961, after investigation was made into the facts of the case.

Case No. 2786—Melvin Buckles, who on the 10th day of November, 1937, was sentenced to one (1) year in the Montana State Prison for assault in the second degree, was granted full pardon, March 20, 1961, after investigation was made into the facts of the case.

Case No. 2787—Melvin Buckles, who on the 19th day of May, 1939, was sentenced to one (1) year in the Montana State Prison for assault in the second degree, was granted full pardon, March 20, 1961, after investigation was made into the facts of the case.

Case No. 2790—James E. Monroe, who on the 8th day of December, 1960, was sentenced to six (6) months in the Cascade county jail, Great Falls, Montana, for contributing to the delinquency of minors, was granted full pardon, May 3, 1961, after a public hearing was held April 28, 1961.

Case No. 2791—Dale H. Moore, who on the 30th day of December, 1960, was sentenced to two (2) years in the Montana State Prison for grand larceny, was granted commutation of his sentence from two (2) years to eighteen (18) months, May 3, 1961, after a public hearing was held April 29, 1961.

Case No. 2793—Elmer F. McKinney, who on the 28th day of June, 1941, was sentenced to fifty (50) years commuted to seven and one-half (7½) years in the Montana State Prison for robbery, was granted full pardon, June 30th, 1961, after investigation was made into the facts of the case.

Case No. 2796—Conrad Richard Casey, who on the 30th day of July 1953, was sentenced to natural life in the Montana State Prison for murder in the first degree, was granted commutation of sentence from natural life to forty-seven (47) years and six (6) months, October 3, 1961, after a public hearing was held September 23, 1961.

Case No. 2797—Jerry Lee Smith, who on the 13th day of June, 1961, was sentenced to four (4) years in the Montana State Prison for operating a motor vehicle without consent of the owner, was granted commutation of his sentence from four (4) years to one (1) year, October 3, 1961, after a public hearing was held September 23, 1961.

Case No. 2798—Theodore Lodell Tomlinson, who on the 23rd day of November, 1951, was sentenced to four and one-half (4½) years, commuted to three and one-half (3½) years in the Montana State Prison for a felony (3 counts), was granted full pardon, October 27, 1961, after investigation was made into the facts of the case.

Case No. 2800—Danton Wirth, who on the 24th day of January, 1951, was sentenced to one (1) year in the Montana State Prison for grand larceny, a felony, was granted full pardon, December 20, 1961, after investigation was made into the facts of the case.

Case No. 2802—Clifford Palen, who on the 5th day of February, 1948, was sentenced to life imprisonment with no parole in the Montana State Prison for murder, was granted commutation of his sentence from life imprisonment with no parole to life with parole at eligibility, April 17, 1962, after a public hearing was held January 20, 1962.

Case No. 2804—Ronald James Ondersma, who on the 21st day of June, 1961, was sentenced to eight (8) years in the Montana State Prison for arson in the second degree, was granted commutation of his sentence from eight (8) years to four (4) years, March 23, 1962, after a public hearing was held February 17, 1962.

Case No. 2807—Robert O'Connell, who on the 13th day of June, 1948, was sentenced to one (1) year in the Montana state prison for robbery, was granted full pardon, July 11, 1962, after investigation was made into the facts of the case.

Case No. 2808—Edwin S. Sparks, who on the 12th day of September, 1939, was sentenced to two (2) years in the Montana State Prison for forgery and said sentence was suspended, was granted full pardon, July 11, 1962, after investigation was made into the facts of the case.

Case No. 2813—Austin Pepoon Lutz, who on the 17th day of July, 1950, was sentenced to three (3) years in the Montana State Prison for grand larceny and said sentence was suspended, was granted full pardon, September 5, 1962, after investigation was made into the facts of the case.

Case No. 2814—Lloyd R. Makey, who on the 24th day of November, 1953, was sentenced to two (2) years in the Montana State Prison for grand larceny and said sentence was suspended, was granted full pardon, October 8, 1962, after investigation was made into the facts of the case.

Case No. 2815—James A. Hall, who on the 26th day of January, 1961, was sentenced to two (2) years in the Montana State Prison for embezzlement and said sentence was suspended, was granted full pardon, October 8, 1962, after investigation was made into the facts of the case.

Case No. 2816—Tom Hem, who on the 23rd day of May, 1925, was sentenced to not less than five (5) years nor more than ten (10) years, plus \$1,000.00 fine, and sentence was commuted to not less than four (4) years or more than eight (8) years and remit \$1,000.00 fine, in the Montana State Prison for selling and disposing of narcotics, was granted full pardon, October 8, 1962, after investigation was made into the facts of the case.

Case No. 2817—Michael Basham, who on the 9th day of November, 1959, was sentenced to two (2) years in the Montana State Prison for uttering and delivering fraudulent checks and said sentence was suspended, was granted full pardon, December 27, 1962, after investigation was made into the facts of the case.

In addition to the above, there have been twenty-three (23) separate restoration of civil rights cases.

Sincerely,
TIM BABCOCK,
Governor.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 1, introduced by Jensen, Turnage, Gill, Haines, Northey, Deschamps, Lundgren: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States and the Montana Congressional delegation requesting action to place the United States lumber industry on an equitable basis with foreign competitors and require the marking of imported lumber to show the country of origin. Referred to Committee on Business and Industry.

House Bill No. 51, introduced by Wayrynen, Beck: A bill for an act entitled: "An act regulating the operation of Mortuaries and the practice of morticians; amending sections 69-119, 69-2306, 69-2309, 69-2310, and 9-604, R.C.M. 1947; and repealing sections 82-701, 82-702, 82-703, 82-704, 82-705, 82-706, 82-707, 82-708, 82-709, 82-710, and 82-711, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 52, introduced by Spahr: A bill for an act entitled: "An act amending section 43-310, R.C.M. 1947, to increase the daily compensation of members of the Legislative Assembly from twenty dollars (\$20.00) to thirty dollars (\$30.00) and increasing mileage payments from seven to eight cents per mile." Referred to Committee on State Administration.

House Bill No. 53, introduced by Spahr: A bill for an act entitled: "An act to amend section 43-310, R.C.M. 1947, by providing monthly compensation for members of the Legislative Assembly and increasing mileage payments from seven to eight cents per mile." Referred to Committee on State Administration.

House Bill No. 54, introduced by Nash, Schye, Wayrynen, Rosell, Spahr, Eskildsen, Blewett: A bill for an act entitled: "An act providing for the establishment, control, financing, conduct and maintenance of a Department of Montana State Hospital which will provide services for the custody, care, treatment and rehabilitation of persons suffering from the illness of alcoholism; provide for the admission, detention, costs, maintenance and release of patients; provide for research into the causes of alcoholism; provide for prevention of alcoholism; and repealing Chapter 7 of Title 38 of the Revised Codes of Montana as amended." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 55, introduced by Turnage, Jensen, Casey, Haughey, Murray, Judge, Gill, Flynn, Bradford: A bill for an act entitled: "An act to provide for the assumption of criminal and/or civil jurisdiction over certain Indians and their reservations and land as authorized by federal law; providing the time and the method thereof, and the duty of the governor with respect thereto." Referred to Committee on Judiciary.

House Bill No. 56, introduced by Crum, Bashor: A bill for an act entitled: "An act providing for the application, qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for the collection and disposition of fees; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by non-residents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission and district court; prescribing fees and their disposal; providing penalties for the violation of this act or of any rule or regulation issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by Chapter 129, Laws of 1957, Chapter 130, Laws of 1957, Chapter 131, Laws of 1957, and Chapter 132, Laws of 1957, providing section 94-1822 of the Revised Codes of Montana of 1947, shall not be amended, modified, or repealed by this act; and containing an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 57, introduced by Haughey, Mathers, Blewett, Deschamps, Nichols, Haines: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-first Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of the Thirty-second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for a graduated increase in such rental rates based upon carrying capacities of such lands, repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

Motion was made by Blewett that the House adjourn until 10:00 a. m. Friday, January 11, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER,
Speaker.

WILLIAM WALRATH,
Chief Clerk.

FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 11, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Beam, Crum, Haines, Lewis, Hibbard and Etchart, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

MESSAGES FROM THE SENATE

January 10, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 1 introduced by Hawks.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

January 10, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 2 introduced by Hawks.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Wayrynen of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendment to House Bill No. 2 be concurred in.

WAYRYNEN, Chairman

Report adopted.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 2 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting,

O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Lewis. Total 4.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House Recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 11, 1963

Mr. Speaker: We, your Committee on Legislative Administration recommend the following be employed by the House:

Jerome A. Sullivan, Proof Reader

NICHOLS, Chairman

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 2, introduced by Goan, Haines, Judge: A Joint Resolution of the Senate and House of Representatives requesting a change in the federal policy of killing elk (Wapiti) in Yellowstone National Park. Referred to Committee on Fish and Game.

House Bill No. 58, introduced by Dykstra, Regan, Hibbard: A bill for an act entitled: "An act amending section 77-117, R.C.M. 1947, to provide for an Assistant Adjutant General for army and an Assistant Adjutant General for air." Referred to Committee on State Administration.

House Bill No. 59, introduced by Hibbard, Haughey, Blewett, Bardanouve, Spahr, Regan: A bill for an act entitled: "An act to appropriate money for the operation of the Legislative Council for the biennium beginning July 1, 1963." Referred to Committee on Appropriations.

House Bill No. 60, introduced by Lucas, Selstad, McNamer: A bill for an act entitled: "An act to amend section 16-912, Revised Codes of Montana, 1947, relating to compensation of members of the boards of county commissioners; providing that the salaries of the members of such boards shall not be changed during the entire term for which such members are elected, regardless of any change in the classification of the county during such term; providing that persons filling vacancies on the boards of county commissioners shall receive the same salary as their predecessors for the remainder of the unexpired term; repealing all acts or parts of acts in conflict herewith; providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 61, introduced by Committee on Business and Industry: A bill for an act entitled: "An act directing the Commissioner of Agriculture to transfer the Department of Agriculture Elevator Storage Trust Fund held by the First National Bank and Trust Company, Helena, Montana, and the Department of Agriculture Bean Storage Fund, held by

The Yellowstone Bank, Laurel, Montana, to the general fund." Referred to Committee on Business and Industry.

House Bill No. 62, introduced by Committee on Business and Industry: A bill for an act entitled: "An act providing for a corporate surety bond for operation of a public warehouse; amending section 3-228, R.C.M. 1947, to require bond be furnished by a corporate surety." Referred to Committee on Business and Industry.

House Bill No. 63, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to make confidential the warehouseman reports furnished to the commissioner of agriculture; and amend section 3-227, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 64, introduced by Goan, Haughey, Thompson: A bill for an act entitled: "An act to amend section 1, Chapter 267 of the Laws of the Thirty-fourth Legislative Assembly, 1955, as amended by section 1, Chapter 16 of the Laws of the Thirty-Fifth Legislative Assembly, 1957, and by section 2, Chapter 36 of the Laws of the Thirty-Sixth Legislative Assembly, 1959, compiled as section 26-202.1, R.C.M. 1947, relating to fish and game licenses, fees, classification of licenses, fees and powers under licenses, to provide that holders of class A-1 resident big game licenses who apply for special licenses for moose, mountain goat, mountain sheep, bison or buffalo shall be given preference over applicants who hold a class B-2 nonresident big game license." Referred to Committee on Fish and Game.

House Bill No. 65, introduced by Goan, Bailey, Smith, Hibbard, Hanks, Seymour, Tracy, Jenkins, Haughey, Spilde: A bill for an act entitled: "An act to amend section 2, Chapter 267, Laws of the Thirty-Fourth Legislative Assembly, 1955, compiled as section 26-202.2, R.C.M. 1947, relating to special fish and game licenses and the tagging of the carcasses of game animals, by providing a lesser period within which persons who have obtained a special license may again make application for such a license, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 66, introduced by McNamer, Hawks, Stranahan, Adams: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed fourteen (14) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 67, introduced by Kvaalen, Rosell, Wright, Beam, Seymour, Haughey, Lund, Leuthold, Spahr, Northey, Smiley, Regan, Lundgren: A bill for an act entitled: "An act making certain changes in the general administration of providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools by amending sections 75-1713.1, 75-1723, 75-1816, 75-3611, 75-3612, 75-3616, 75-3617, 75-3618, 75-3619, 75-3706, 75-3722, 75-3801, 75-4230, 75-4516.1 and 75-4518.1, R.C.M. 1947, relating to changes in budget by budget board when in excess of foundation program—restrictions on budgets, fixing tax levy, determination of levy in joint school districts, definitions—schedules of financial program, foundation program, distribution of funds—reports may be required, application for approval as isolated schools, distribution of money available to school districts—formula for apportionment of county funds, formula for distribution of state funds, common school levy, duties of county treasurer, district school taxes—election, attendance outside of county of pupil's residence, levy of taxes, reduction in budget by budget board—allowance of additional expenses over foundation program; and by repealing sections 75-3620, 75-3621, 75-3622, 75-3623, 75-4507, 75-4508, 75-4509, and 75-4510, R.C.M. 1947, relating to state superintendent to give notice if state fund inadequate, resolution to issue warrants—hearing, authorization to issue warrants, method of payment of warrants, increase of budgets for high

schools—when authorized, special tax levy—rate, application of act and construction of act.” Referred to Committee on Education.

House Bill No. 68, introduced by Keller, Turnage, Lucas: A bill for an act entitled: “An act to amend section 15-401, R.C.M. 1947, to remove the upper limit of directors for charitable and non-profit organizations.” Referred to Committee on Business and Industry.

House Bill No. 69, introduced by Murray, Lucas: A bill for an act entitled: “An act amending section 25-501, R.C.M. 1947, and amending section 93-303, and repealing section 72-106, to increase the salaries of elected state executive officials, supreme court judges, district court judges and others, and providing for an effective date.” Referred to Committee on State Administration.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Wayrynen of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 23 do pass.

That House Bill No. 25 do pass.

That House Bill No. 26 do pass.

That House Bill No. 29 do pass.

That House Bill No. 30 do pass.

That House Bill No. 24 do pass.

That House Bill No. 27 do pass,

That House Bill No. 28 do pass.

That House Bill No. 31 do pass.

That House Bill No. 32 do pass.

That House Bill No. 33 do pass.

That House Bill No. 34 do pass.

WAYRYNEN, Chairman

Report adopted.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House Recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett, and carried, that by unanimous consent of the House, House Bills Nos. 23, 25, 26, 29, 30, 24, 27, 28, 31, 32, 33 and 34 be considered properly engrossed.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 23 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Lewis, Pierce. Total 5.

House Bill No. 25 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Lewis, Pierce. Total 5.

House Bill No. 26 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Lewis, Pierce. Total 5.

House Bill No. 29 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve,

Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schyde, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis. Total 5.

House Bill No. 30 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schyde, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Lucas. Total 1.

Excused: Beam, Crum, Haines, Jenkins, Lewis. Total 5.

House Bill No. 24 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schyde, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Broeder, Lucas. Total 2.

Excused: Beam, Crum, Haines, Jenkins, Lewis. Total 5.

House Bill No. 27 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens,

Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

House Bill No. 28 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

House Bill No. 31 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

House Bill No. 32 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

House Bill No. 33 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

House Bill No. 34 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: None.

Excused: Beam, Crum, Haines, Jenkins, Lewis, Pierce. Total 6.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 11, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled:

House Bill No. 1

MURRAY, Chairman

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 1.

I have examined House Bill No. 1 and find the same to be correct.

HAWKS

Motion was made by Blewett that the House adjourn until 12:00 noon, Monday, January 14, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker
WILLIAM WALRATH, Chief Clerk

EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 14, 1963

House convened, pursuant to adjournment, at 12:00 noon.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled:

House Bill No. 2

NASH, Vice-Chairman

Mr. Speaker: I have examined House Bill No. 2 as amended, introduced by Hawks, and find the same to be correct.

HAWKS

The Speaker Pro Tem signed the following House Bill in open session, the title having first been read: House Bill No. 2

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 1, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:15 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be employed by the House:

Donna Yelle — Mimeograph Clerk

Henry Flatow — Mimeograph Clerk

Mrs. Myrtle O'Leary — Proof Reader

Mrs. Norma Rogness — Mimeograph Clerk

William E. Fearon — Mimeograph Clerk

John Sloan — Janitor

And further recommend that the following be removed from the employment list:

Irene Daly

Ed Harris

Mrs. Charles Waddel

NICHOLS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 9, 40, 46, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 12, 14, 15, 41 and 13, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MESSAGES FROM THE GOVERNOR

January 11, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
State Capitol Building
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 1 — Introduced by Hawks

Yours Truly,

TIM BABCOCK
Governor

MOTIONS AND RESOLUTIONS

Motion was made by Wayrynen, and carried, that House Bill No. 22 be mimeographed.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 3, introduced by Watt: A joint resolution of the Senate and House of Representatives directing the Montana Highway Commission to conduct a comprehensive study of the feasibility of a multipurpose tunnel under the continental divide. Referred to Committee on Highways.

House Bill No. 70, introduced by Reinecke, Stranahan, Haines, Welch: A bill for an act entitled: "An act prohibiting certain retail sales on Sunday and providing penalties for violation of said act." Referred to Committee on Business and Industry.

House Bill No. 71, introduced by Jensen, Broeder, Lundgren, Lucas, Regan, Smiley, Haines: A bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public." Referred to Committee on Judiciary.

House Bill No. 72, introduced by Turnage, Lucas, Garrison: A bill for an act entitled: "An act to amend section 26-202.3, R.C.M. 1947, to clarify the definition of a resident for hunting and fishing license purposes, and deleting an obsolete provision on citizenship papers." Referred to Committee on Fish and Game.

House Bill No. 73, introduced by Pierce, Regan, Healy, Keller, Swanz, Stranahan: A bill for an act entitled: "An act to amend section 4-170, R.C.M. 1947, by deleting therefrom provisions preventing the canvassing or soliciting of orders for the purchase or sale of liquor by agents, representatives or intermediaries of distillers or distributors; providing

for sales promotion by distiller's or distributor's agents, representatives or intermediaries, license and fee therefor; prohibiting political contributions by such agents, representatives or intermediaries; and providing a penalty therefor." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 74, introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-1103, Revised Codes of Montana, 1947, relating to the prevention of the spread of contagious disease among fruit and fruit trees, to allow the re-use of any crate, box, barrel, package or wrapping once having contained fruit." Referred to Committee on Agriculture and Irrigation.

House Bill No. 75, introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-1404, Revised Codes of Montana, 1947, relating to the grading, branding and labeling of farm products; to provide for the repeal of subsection F and making the U. S. Commercial Grade A standard grade in the state of Montana." Referred to Committee on Agriculture and Irrigation.

House Bill No. 76, introduced by Leuthold: A bill for an act entitled: "An act to repeal Section 90-205, Revised Codes of Montana, 1947, relating to the size of box in which apples shall be packed and offered for sale." Referred to Committee on Agriculture and Irrigation.

House Bill No. 77, introduced by Broeder: A bill for an act entitled: "An act providing for the creation of a state board of public accountancy to regulate the conduct of certified public accountants and public accountants; providing for the appointment, terms of office, powers and duties of the board; providing for the registration and licensing of certified public accountants and public accountants; providing for the issuance of certificates to certified public accountants and certificates of proficiency to public accountants; providing for certified public accountants' and public accountants' examination and the administration thereof; providing for the revocation and suspension of certificates and licenses and for disciplinary procedures; making certain acts unlawful and prescribing penalties; and repealing sections 66-1801, 66-1802, 66-1803, 66-1804, 66-1805, 66-1806, 66-1807, 66-1808, 66-1809, 66-1810, 66-1811, and 66-1812, R.C.M. 1947, as amended, and all other acts and parts of acts in conflict therewith." Referred to Committee on Business and Industry.

House Bill No. 78, introduced by Leuthold: A bill for an act entitled: "An act providing for a recount of votes in elections; declaring the method of determining when a recount may be requested; specifying the duties of the secretary of state and the county clerks; establishing county recount boards; providing the method of recount; providing for the expense of a recount; and amending sections 23-1611, 23-1712, and 23-1807, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Motion was made by Blewett that the House adjourn until 11:00 a.m., Tuesday, January 15, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 15, 1963

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 14, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 2, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were this day, at the hour of 3:25 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 be amended as follows: Beginning on line 23, Section 1, of the original bill following the word manslaughter, insert the following: "rape when committed under the circumstances specified in subdivision 3 and 4 of Section 94-4101, R. C. M. 1947."

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 do pass.

DYKSTRA, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 14, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 2—Introduced by Hawks.

Yours truly,
TIM BABCOCK,
Governor

MOTIONS AND RESOLUTIONS

Motion was made by Haines, and carried, that Constitutional Amendments be held in committee until after the 20th day.

Extension of time was granted on the following House Bills:

House Bill No. 45	House Bill No. 35
House Bill No. 5	House Bill No. 39
House Bill No. 6	House Bill No. 57
House Bill No. 22	

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 79, introduced by Blewett, Haughey, Murray: A bill for an act entitled: "An act to amend Section 91-1101 and Section 91-1107, Revised Codes of Montana, 1947, so as to change the time for contesting a will after probate thereof from one year to six months." Referred to Committee on Judiciary.

House Bill No. 80, introduced by Judge: A bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public." Referred to Committee on Judiciary.

House Bill No. 81, introduced by Tracy, Healy, Lombardi, Good, Deschamps, Haines, Weeks, Seymour: A bill for an act entitled: "An act to include trainable mentally retarded children within the responsibility of the public schools and allow school districts to provide special classes or services for such children; and amending Sections 75-5001 and 75-5003, R. C. M., 1947." Referred to Committee on Education.

House Bill No. 82, introduced by Rehberg, Rosell, Leuthold, Lucas, Woodard: A bill for an act entitled: "An act to amend Section 3-2476 of the Revised Codes of Montana, 1947, relating to the definition of ice cream; to provide that the minimum weight of ice cream be not less than four and one-half (4½) net pounds per gallon." Referred to Committee on Agriculture and Irrigation.

House Bill No. 83, introduced by Harper, O'Hair, Bradford, Laas: A bill for an act entitled: "An act amending Section 75-1620, R. C. M. 1947, to increase the rate of pay for judges of election of school districts of the first and second class." Referred to Committee on Education.

House Bill No. 84, introduced by Spahr: A bill for an act entitled: "An act to provide for the control of the possession of alcoholic beverages by a person under twenty-one (21) years of age while driving or in actual physical control of a motor vehicle, and penalty for violation of this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 85, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of cigarette tax refunds, corporation license tax refunds, inheritance tax

refunds, and unclaimed dividends of a closed banking corporation." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 9 do pass.

That House Bill No. 40 do pass.

That House Bill No. 46 do pass.

That House Bill No. 12 do pass

That House Bill No. 14 do pass.

That House Bill No. 15 do pass.

That House Bill No. 41 do pass.

That House Bill No. 13 do pass.

HAINES, Chairman.

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

HAWKS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett, and carried, that the Speaker appoint a bipartisan committee of five to work with a Senate committee, should the Senate so elect, to investigate and report back to the Legislature to what extent the various counties have complied with the mandate of the 1955 and 1957 Legislative Sessions, pertaining to reclassification of agricultural lands and reappraisal of town and city properties, and to make recommendations for corrective or remedial legislation designed to bring about as expeditiously as possible complete reclassification and reappraisal in an equitable and uniform manner.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 86, introduced by Selstad, Leuthold, Hanks: A bill for an act entitled: "An act amending Section 3-1714, R. C. M. 1947, (a) definition of 'fertilizer material'; (f) provisions after due public notice to change guarantees from phosphoric acid to phosphorus, and from potash to potassium, and guarantees of other nutrients; (g) provisions for grade to agreed with guaranteed analysis; (F) define specialty fertilizer; (g) define soil amendment. Amending Section 3-1715, R. C. M. 1947, requiring registration of soil amendments, changing phosphoric acid to phosphorus and potash to potassium, information required to register soil amendments, requiring licensing of blenders and mixers of fertilizer materials. Amending Section 3-1716, R. C. M. 1947, providing for labeling of soil amendments. Repealing Section 3-1719, R. C. M. 1947. Minimum plant food. Amending Section 3-1723, R. C. M. 1947, rules and regulations. Provide procedures to adopt rules and regulations and provide for hearings. Amend section 3-1724, R.C.M. 1947. Cancellation of registration. To designate hearing procedure. Effective date of amendments, July 1, 1963, except date provided for change in guaranteed analysis." Referred to Committee on Agriculture and Irrigation.

House Bill No. 87, introduced by Smith, Mathers, Lucas: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and containing an expiration date." Referred to Committee on Fish and Game.

House Bill No. 88, introduced by Dykstra, Bradford: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'the 1963 bond validating act'; containing a repealing clause and providing an effective date." Referred to Committee on State Administration.

House Bill No. 89, introduced by O'Hair, Harper, Pierce, Nutting, Hanks, Hazelbaker: A bill for an act entitled: "An act amending Section 32-21-113, R. C. M. 1947, relating to shooting across public roadways under control of the state of Montana or political subdivisions of the state." Referred to Committee on Fish and Game.

Motion was made by Blewett that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do pass.

WRIGHT, Chairman.

Report adopted.

In accordance with the motion previously carried, the Speaker appointed the following Reclassification Investigation Committee:

Haughey, Chairman; Murray, Vice-Chairman; Lucas, Laas, Spahr.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Wednesday, January 16, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

TENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 16, 1963

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by Representative Spahr.

On roll call all members were present except Hibbard, Regan, Hawks, and Etchart, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 41 and 13.

HARPER.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do pass.

SCHYE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Legislative Administration Committee, beg to submit the following list indicating the number of miles traveled by the following members of the House of Representatives and the sums due them therefor, for the session of the Thirty-eighth Legislative Assembly convening January 7, 1963:

Name	Miles		Amount
Aasheim, Magnus	1,016	@ .07	\$71.12
Adams, Ed, Jr.	296	"	20.72
Asbjornson, J. O.	458	"	32.06
Bailey, Manson H., Jr.	736	"	51.52
Baldwin, Florian R.	406	"	28.42
Bardanouve, Francis	502	"	35.14
Bashor, Leonard G.	384	"	26.88

Name	Miles	Amount
Beam, W. R.	450	31.50
Beck, Ralph J.	110	7.70
Blewett, Alex, Jr.	188	13.16
Boughton, Bert D.	642	44.94
Bradford, Truman G.	188	13.16
Brenner, Paul E.	214	14.98
Broeder, Fred O., Jr.	474	33.18
Casey, Loran	836	58.52
Crum, Forrest H.	450	31.50
Cummings, Everett D.	356	24.92
Davis, Warren H.	160	11.20
Deschamps, G. W.	232	16.24
East, Vic	608	42.56
Egan, Eugene C.	320	22.40
Eskildsen, Leslie	596	41.72
Etchart, Mark S.	736	51.52
Falkenstern, Arnold H.	778	54.46
Flynn, Elmer	232	16.24
Garrison, W. F.	222	15.54
Gill, Henry L.	436	30.52
Goan, William S.	450	31.50
Good, John H.	132	9.24
Haines, Tom	232	16.24
Hanks, Virgil	208	14.56
Harper, Warren W., Sr.	382	26.74
Haughey, James M.	450	31.50
Hawks, Clyde L.	596	41.72
Hazelbaker, Frank W.	260	18.20
Healy, John E.	132	9.24
Hemstad, Nels	254	17.78
Holtz, Malcolm E.	188	13.16
Jenkins, L. V., Jr.	606	42.42
Jensen, Millo	346	24.22
Johnson, Edward A.	160	11.20
Keller, M. F.	188	13.16
Kvaalen, Oscar S.	912	63.84
Laas, Walter	428	29.96
Leuthold, John H.	494	34.58
Lewis, Joe H.	354	24.78
Lombardi, Jerry	132	9.24
Lucas, James P.	700	49.00
Lund, Arthur E.	944	66.08
Lundgren, Conrad F.	490	34.30
Mathers, W. L.	700	49.00
McNamer, W. R.	450	31.50
Murray, Marshall H.	474	33.18
Nash, Joy I.	66	4.62
Nelson, Carl	144	10.08
Nichols, Norris	284	19.88
Northey, Harry T.	232	16.24
Nutting, Richard A.	462	32.34
O'Hair, Allyn W.	248	17.36
Osburnsen, Arthur	458	32.06
Pierce, John H.	450	31.50
Raundal, Robert S.	488	34.16
Rearden, John D.	188	13.16
Regan, Leonard D.	188	13.16
Rehberg, Jack D.	450	31.50
Reinecke, Fred W.	910	63.70
Rosell, Antoinette Fraser	450	31.50
Schepens, Fred W.	852	59.64
Schye, Elmer	150	10.50
Selstad, Tom	188	13.16

Name	Miles		Amount
Seymour, L. G.	188	"	13.16
Shelden, Arthur H.	652	"	45.64
Slaby, Cyril E.	416	"	29.12
Smiley, Richard D.	198	"	13.86
Smith, Carl M.	808	"	56.56
Spahr, William E.	188	"	13.16
Spilde, Gene	304	"	21.28
Stranahan, C. G.	270	"	18.90
Swanz, E. A.	266	"	18.62
Thompson, John N.	198	"	13.86
Tooke, Richard D.	934	"	65.38
Tracy, Thomas P.	132	"	9.24
Turnage, Jean A.	368	"	25.76
Twedt, Gordon R.	468	"	32.76
Watt, Robert D.	232	"	16.24
Wayrynen, Ray J.	132	"	9.24
Weeks, S. A.	862	"	60.34
Welch, Kermit G.	376	"	26.32
Woodard, Hubert E.	450	"	31.50
Wright, J. Stewart	836	"	58.52
Zimmer, William	538	"	37.66

NICHOLS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Extension of time was granted the Committee on Public Health, Welfare and Safety on House Bill No. 54.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 90, introduced by Hibbard, Tooke, Smith, Hazelbaker, Hanks, Judge, Bardanoue: A bill for an act entitled: "An act to amend Section 46-1005 of the Revised Codes of Montana, 1947, by enlarging the definition of an estray to include sheep and lamb." Referred to Committee on Livestock and Ranges.

House Bill No. 91, introduced by Bailey, Welch, Zimmer, Tracy, Northey: A bill for an act entitled: "An act to amend Section 26-701, and to repeal Sections 26-702, 26-703, and 26-707, Revised Codes of Montana, 1947, relating to shipment of animals from the state." Referred to Committee on Fish and Game.

House Bill No. 92, introduced by Deschamps, Northey, Broeder, Haines, Nelson, Flynn, Watt: A bill for an act entitled: "An act to amend Section 53-122, R. C. M. 1947, relating to registration fees of motor vehicles and the disposition thereof by providing for the division of license or registration fees between the county and incorporated cities and towns within the county in a pro rata manner; and restricting the use of the monies by cities, towns and counties." Referred to Committee on Highways.

House Bill No. 93, introduced by Keller, Leuthold, Beam: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana, 1947, as amended by Chapter 166, Laws of 1961, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the state of Montana; providing for salary increases and change in qualifications; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 94, introduced by Bardanoue, Aasheim: A bill for an

act entitled: "An act relating to the disposition of unclaimed property and making uniform the law with reference thereto; making provision for classifying such property as abandoned and setting up provisions of law for handling such property so as to protect the interests of the original owners, relieve the holders of annoyance, expense and liability, preclude multiple liability, and preserve any windfalls that may result from abandonment to the state of Montana; providing that the funds becoming available to the state under the provisions of this act shall be deposited in the public school fund; and providing penalties for violations of this act." Referred to Committee on Judiciary.

House Bill No. 95, introduced by Tracy, Johnson, Lombardi: A bill for an act entitled: "An act providing for the creation of an air pollution control council; providing definitions; providing for the appointment of council members; providing powers and duties of the council; providing the state board of health to administer this act under the supervision of the council; prohibiting the discharge of air contaminants and describing such contaminants; providing for hearings, issuance of permits and authorizing variances from the standards of this act; providing for the suspension or revocation of permits and the revocation or modification of any variance, providing for the issuance of rules, regulations and orders of the council; providing subpoena power and contempt of the council; authorizing the entry into premises to enforce this act or the rules, regulations or orders of the council; providing for appeals to the district court and supreme court; prescribing penalties for the violation of this act or any rule, regulation or order of the council; providing for injunctive proceedings; and containing a severability clause." Referred to Committee on Public Health, Welfare and Safety.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 9.

HARPER.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 41 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Falkenstern, Garrison, Gill, Goan, Good, Haines, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Eskildsen, Flynn, Hanks, Harper, Laas, O'Hair, Raundal, Twedt, Watt. Total 9.

Absent or not voting: Adams, Shelden. Total 2.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

House Bill No. 13 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper,

Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Shelden. Total 1.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

House Bill No. 9 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Shelden. Total 1.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

Motion was made by Blewett that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 40, 46, 12, 15 and 14.

HARPER.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do not pass, but that

Substitute House Bill No. 42, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to provide that any person owning any interest in real property in the state of Montana may transfer the same to himself, and any other person, in joint tenancy, with the right of survivorship, without the necessity of any transfer to or through any third person."

Do pass.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 16, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that regarding the request of the House dated January 15, relating to the appointment of a bi-partisan Senate and House Committee to study reclassification and reappraisals, the Senate has a Joint Resolution pending which will cover the aforementioned matter and which will be referred to the proper Senate committee.

Due to this pending Joint Resolution, the Senate feels that no such committee is necessary.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Extension of time was granted on the following House Bills:

House Bill No. 7	House Bill No. 3
House Bill No. 36	House Bill No. 10
House Bill No. 43	House Bill No. 16

Motion was made by Wayrynen that House Bill No. 66 be taken from the Committee on Townships and Counties and referred to the Committee on Public Health, Welfare and Safety. Motion failed to carry.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 96, introduced by Raundal, Osburnsen, Mathers, Eskildsen, Wright: A bill for an act entitled: "An act to prohibit the hunting of wild animals between the hours of one-half hour after sunset and one-half hour before sunrise, except that the act shall not apply where written permission is given by the landowner or lessee." Referred to Committee on Fish and Game.

House Bill No. 97, introduced by Healy, Turnage, Lucas, Murray, Wayrynen: A bill for an act entitled: "An act to amend Section 16-1001, R.C.M. 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners may, in its discretion, pay proper charges for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities, or other property; repealing acts or parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 98, introduced by Smith, Welch, Gill, Pierce: A bill for an act entitled: "An act to amend Sections 26-202.1, 26-215, 26-510, Revised Codes of Montana, 1947, relating to hunting and fishing licenses, classifications, fees, and powers and duties thereunder." Referred to Committee on Fish and Game.

House Bill No. 99, introduced by Rehberg, Haughey, Cummings, Rosell: A bill for an act entitled: "An act to amend Sections 27-401, 27-402, 27-403, 27-404, 27-405, 27-406, 27-407, 27-414 and 27-416, R. C. M. 1947, by removing the power of the state milk control board to fix distributor and dealer milk prices unless necessary to maintain producer prices; and repealing Section 27-427, R. C. M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 100, introduced by Dykstra, Blewett: A bill for an act entitled: "An act to adopt the uniform act for simplification of fiduciary security transfers as promulgated by the national conference of commissioners on uniform state laws in 1958; establishing a mode for transfer of securities held by fiduciaries; providing evidence of appointment or incumbency of a fiduciary; providing for the filing of adverse claims; and removing a duty by corporations and transfer agents to inquire into the rightfulness of security transfers by fiduciaries." Referred to Committee on Business and Industry.

House Bill No. 101, introduced by Leuthold, Thompson, Pierce, Smiley, Deschamps, Watt, Spahr, Wayrynen: A bill for an act entitled: "An act providing for supplemental publication by radio broadcast and television broadcast of any notice required by law to be published by any official of the state or any of its political subdivisions." Referred to Committee on Judiciary.

House Bill No. 102, introduced by Haines, Northey, Deschamps, Lundgren, Broeder, Watt: A bill for an act entitled: "An act amending Sections 69-1329 and 69-1331, R. C. M. 1947, relating to state water pollution council and to the powers and duties of the board of health." Referred to Committee on Public Health.

House Bill No. 103, introduced by Bardanouve, Zimmer: A bill for an act entitled: "An act changing the name of the state soldier's home to the 'Montana Veteran's Center' and changing the provision for appointment of the board of managers of the home; amending sections 80-303 and 80-304, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 104, introduced by Blewett, Lucas, Murray, Stranahan, McNamer, Bardanouve, Haughey: A bill for an act entitled: "An act to submit to the electors of the state of Montana an amendment to the constitution of Montana relating to the selection of supreme court justices; creating a judicial nominating commission and providing for the appointment of supreme court justices by the governor from lists of nominees submitted by the judicial nominating commission; amending Sections 34 and 35, Article VIII of the constitution; and repealing sections 6, 7 and 8, Article VIII of the constitution." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 105, introduced by Mathers, Haines, Schye, Kvaalen, Rosell, Goan: A bill for an act entitled: "An act to amend Sections 84-1502 and 84-1504 of the Revised Codes of Montana, 1947, to provide that dividends paid on capital stock of cooperative organizations and amounts allocated as patronage dividends or otherwise to patrons of cooperative organizations shall not be deductible in the calculation of gross income for Montana corporation license tax purposes; providing a deduction from gross income for patronage dividends actually paid in cash during the taxable year; stating the purpose of this act; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 40 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Os-

burnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Broeder. Total 1.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

House Bill No. 46 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: Wayrynen. Total 1.

Absent or not voting: None.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

House Bill No. 12 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

Absent or not voting: None.

House Bill No. 15 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

Absent or not voting: None.

House Bill No. 14 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reincke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrinen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hibbard, Regan, Hawks, Etchart. Total 4.

Absent or not voting: None.

Motion was made by Blewett, and carried, that the House recess subject to the call of the Chair.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 20, 38, 85, and House Joint Memorial No. 1, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 do pass.

ADAMS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do pass.

ADAMS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

ADAMS, Chairman.

Report adopted.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Thursday, January 17, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.
WILLIAM WALRATH, Chief Clerk.

ELEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 17, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 79, 55 and 8 and House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do pass.

HAUGHEY, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended as follows:

By amending in Line 9 of the original bill by striking out the words and figures "eighty thousand dollars (\$80,000.00)" and inserting in lieu thereof the words and figures "seventy-five thousand dollars (\$75,000.00)."

And as so amended do pass.

HAWKS, Chairman

Report Adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Joint Memorial No. 2, introduced by Jensen, Turnage, Brenner, Garrison, Schepens, Leuthold, Stranahan: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior and to the United States Bureau of Reclamation, urging passage of legislation to amend the Reclamation Act and any other laws or rules, to waive the application of the land limitation clause in the State of Montana. Referred to Committee on Agriculture.

House Bill No. 106, introduced by Schepens, Lewis, Jensen, Schye, Keller, Bradford, Lucas: A bill for an act entitled: "An act to amend Section 5, Chapter 195, Laws of 1959, compiled as Section 11-3905, R.C.M. 1947, relating to the finding of necessity by the local governing body in the exercise of urban renewal powers; providing for a referendum with respect to such finding of necessity in lieu of an election." Referred to Committee on Affairs of Cities.

House Bill No. 107, introduced by Smiley, Leuthold, Rehberg, Hawks, Jensen: A bill for an act entitled: "An act to provide registration of commercial feeds; defining commercial feed and other terms; to provide for labeling commercial feeds; to provide for inspection and sampling of commercial feeds and fees therefore; to provide prohibition against distribution of non-registered, adulterated, or misbranded feeds; to provide for the administration of this act by the Commissioner of Agriculture and empowering him to make rules and regulations necessary to administration of this act; to provide power in the Commissioner to detain, condemn and confiscate feeds being distributed in violation of this act or regulations made thereunder; to provide penalties for violations of this act or regulations; and to take effect and be in force from and after the first day of January, 1964; and repealing Sections 3-2001, 3-2002, 3-2003, 3-2004, 3-2005, 3-2006, 3-2007, 3-2008, 3-2009, 3-2010, 3-2011, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 108, introduced by Keller, Haines: A bill for an act entitled: "An act to amend Section 71-217, Revised Codes of Montana, 1947, relating to authority of the State Department of Public Welfare to reduce the reimbursements of the county share of personnel costs in certain circumstances; and repealing all acts and parts of acts in conflict herewith; and fixing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 109, introduced by Nichols, Asbjornson, Adams: A bill for an act entitled: "An act to appropriate twenty-five thousand dollars (\$25,000) to the State Highway Commission for state parks operations and expenses for the period beginning on the effective date of this act and ending June 30, 1963: providing an effective date." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Jensen of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 20 do pass.

That further consideration of House Bill No. 38 be passed until the next General Orders.

That House Bill No. 85 be amended in Section 1 by striking out in lines 15 and 16, page 2 of the original bill, being lines 39 and 40, page 2 of the printed bill, the following words and figures: "seven thousand six hundred sixty-five dollars and ninety-five cents (\$7,665.95)" and inserting in lieu thereof the words and figures "eight thousand one hundred fifty-six dollars (\$8,156.00)";

Be further amended in Section 1 on page 2 of the original bill, being page 3 of the printed bill, by inserting after line 26 of the original bill, being line 50 of the printed bill, the following words and figures: "Montana Division American Cancer Society, bequest from estate of Olai Grove \$490.05.";

And as so amended, do pass.

That House Joint Memorial No. 1 do pass.

JENSEN, Chairman

Report adopted.

Extension of time was granted on the following: House Bills Nos. 17, 18, 49, 50, 11 and 37.

Motion was made by Blewett, and carried, that the House recess until 2:00 p.m. this day.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections, and Federal Relations, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do pass.

SMITH, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

BROEDER, Chairman

Report adopted.

January 17, 1963

Mr. Speaker: We, your Committee on Legislative Administration recommend the following be employed by the House:

Laura Dykstra — Proof Reader

Shirley Baertsch — Typist

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 17, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill and Senate Joint Resolution were this day read third time and passed, Title and History agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 1, introduced by Melcher, Graham and Hilling

Senate Joint Resolution No. 2, introduced by Cashmore

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

INTRODUCTION OF BILLS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

Senate Bill No. 1, introduced by Melcher, Graham, Hilling: A bill for an act entitled: "An act amending sections 75-4146 and 75-4230, R.C.M. 1947, relating to the attendance of a high school pupil outside the county of his residence." Referred to Committee on Education.

Senate Joint Resolution No. 2, introduced by Cashmore, James: A Joint Resolution of the Senate and House of Representatives complimenting the governor's domestic relations committee for their excellent work and expressing the gratitude of the Montana Legislative Assembly to the members of that committee." Referred to Committee on Public Health Welfare and Safety.

House Bill No. 110, introduced by Regan, Spahr, Aasheim, Mathers, Wayrynen, Blewett, Rosell: A bill for an act entitled: "An act directing the state board of education to study the school laws and to prepare and submit a proposed code of school laws to the Thirty-Ninth Legislative Assembly and appropriating moneys to meet expenses of such study and codification." Referred to Committee on Appropriations.

House Bill No. 111, introduced by Bardanouve, Osburnsen: A bill for an act entitled: "An act changing the name of the home for senile men and women to the 'Montana Center for the Aged.'" Referred to Committee on State Administration.

House Bill No. 112, introduced by Hanks, Smiley, Leuthold, Asbjornson, Osburnsen: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the state of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the state of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the state of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana wheat research and marketing committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2 1/2) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor;

to provide for transfers from such revolving fund to the general fund of the state of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Agriculture and Irrigation.

House Bill No. 113, introduced by Slaby, Jensen, Schye, Lewis: A bill for an act entitled: "An act for the submission to the qualified electors of the state of Montana of an amendment to the constitution of the state of Montana, amending section 6 of Article XVI of said constitution, relating to the authorization of the legislative assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the constitution provided as public convenience may require increasing the limit of time of office from two years to four years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 114, introduced by Hibbard, Haughey: A bill for an act entitled: "An act to amend section 46-1411, Revised Codes of Montana, 1947, relating to the duty of owners or possessors of unfenced lands or patented mining claims within or adjacent to national forest reserves to mark the boundaries thereof, to provide that the same duty shall be imposed upon the owner or possessor of an unpatented mining claim; and to amend section 46-1413, Revised Codes of Montana, 1947, relating to limitations on the right to bring action against the owner of trespassing livestock where boundaries have not been marked, to provide that such limitations shall be applicable to unpatented mining claims and to all livestock; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 115, introduced by Hibbard, Bailey: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, Chapter 157, Laws of 1949; as amended by section 1, Chapter 126, Laws of 1951; as amended by section 1, Chapter 223, Laws of 1953; as amended by section 1, Chapter 193, Laws of 1955; relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto; to provide that dogs may be used for hunting black or brown bear; and providing for an effective date." Referred to Committee on Fish and Game.

House Bill No. 116, introduced by Broeder: A bill for an act entitled: "An act to amend section 53-615, R.C.M. 1947, relating to fees on trucks, tractors, trailers, semitrailers and other vehicles; providing for certain exemptions therefrom; amending section 53-642, R.C.M. 1947, relating to movement of special mobile equipment over the highways and redefining the term 'special mobile equipment'; providing that equipment and machinery which cannot be self-propelled or towed upon the highways of this state shall be exempt from the terms and provisions of Title 53, R.C.M. 1947." Referred to Committee on Highways.

January 17, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 85 and 20.

HARPER

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 85 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 20 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

January 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 42, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Jensen of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 38 be amended in the title in line 3 of the original bill following the word "OF" add the word "RAPE", and which is in the printed bill in line 2 of the title following the word "OF" add "RAPE,";

Be further amended in Section 1 in line 23 of the original bill following the word "arson" add the words "in the first and second degree" and

which is in the printed bill in line 18, page 2, following the word "arson" add the words "in the first and second degree";

And as so amended, do pass.

JENSEN, Chairman

Report adopted.

Extension of time was granted on House Bill No. 56.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Friday, January 18, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

TWELFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 18, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, Hawks, Hibbard, and Regan, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 1.

HARPER

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under

consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 be amended as follows:

1. Amend Section 8, subsection (3) by deleting in lines 12, 13, 14, and 15, page 3 of the original bill, all of subsection (3) and substituting therefor a new subsection to read as follows:

"(3) Have graduated from an accredited college of mortuary science, and have satisfactorily completed two (2) academic years at an accredited college or university. This subsection shall not apply to a person who is enrolled in an accredited college or mortuary science on the effective date of this act."

2. Amend Section 9, by adding in line 23, page 3 of the original bill following the word "year", the words "in Helena" and by adding, following the word "times" the words "and places".

3. Amend Section 12 on page 4 by deleting the period in line 18 of the original bill and inserting in lieu thereof the words "and if such state has a reciprocal agreement with Montana" and a period.

And so amended do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 do not pass.

PIERCE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

PIERCE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Turnage that House Bill No. 55 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Haughey that House Bill No. 42 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Pierce that House Bill No. 89 be taken from the Committee on Fish and Game and referred to the Committee on Highways. Motion carried.

Extension of time was granted on the following House Bills:

House Bill No. 58

House Bill No. 69

House Bill No. 68

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 117, introduced by Goan, Bardanouve: A bill for an act entitled: "An act establishing a central office for the collection and processing of fees due the state for the care of patients in custodial institutions; amending sections 10-119, 38-108 and 38-815, R.C.M. 1947; and repealing sections 38-118, 38-214, 38-304, 38-409, 38-411, 38-412, 38-707, 38-708, 38-808, 38-809, 38-809.1, 38-812, 80-211, 80-212, and 80-213, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 118, introduced by Beam, Wayrynen, Lucas, Slaby: A bill for an act entitled: "An act to amend sections 11-1925, 11-1926 and 11-1927, R. C. M. 1947, relating to service pensions, disability pensions and pensions to widows and orphans of firemen, and the increase thereof." Referred to Committee on Public Health, Welfare and Safety."

House Bill No. 119, introduced by Leuthold, Jensen, Garrison, Stranahan: A bill for an act entitled: "An act to amend section 89-121 of the Revised Codes of Montana, 1947, relating to the authority of the State Water Conservation Board to appropriate and store, divert and control the unappropriated waters of the state, and providing for recording of notice and priority of right." Referred to Committee on Agriculture and Irrigation.

House Bill No. 120, introduced by Leuthold, Adams: A bill for an act entitled: "An act to amend section 69-812, Revised Codes of Montana, 1947, relating to the financing of county and district health departments and boards of health; providing that any tax levy made on any property pursuant to this section shall be based on taxable valuation; providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 121, introduced by Aasheim, Bradford, Shelden: A bill for an act entitled: "An act to provide a method for nonpartisan nominations for the office of County Superintendent of Schools at the regular primary nominating election; and to amend section 23-1106, R. C. M. 1947." Referred to Committee on Constitution, Elections, and Federal Relations.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Joint Memorial was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstein, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal,

Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Sheldon, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Broeder, Jenkins, Schye, Murray, Smith, Tooke. Total 6.

Absent or not voting: Nash. Total 1.

Excused: Hawks, Hibbard, Etchart, Regan. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Keller of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 79 do pass.

That House Bill No. 8 do pass.

That further consideration of House Joint Resolution No. 2 be indefinitely postponed.

KELLER, Chairman

Motion was made by Keller for adoption of the Committee of the Whole report.

Substitute motion was made by Goan that House Joint Resolution No. 2 be segregated from the Committee of the Whole report, together with a request for a roll call vote with the results thereof to be spread on the record. There being sufficient seconds, roll call vote was taken and the substitute motion was carried as follows:

Ayes: 46

Noes: 43

Absent or not voting: 1

Excused: 4

Motion was made by Keller for adoption of the Committee of the Whole report as amended. Report adopted.

January 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 60, 19, 93 and 61, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Chairman

January 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 63, 47, 21 and 62, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House revert to Order of Business No. 5.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that the Speaker appoint two additional members to the Reclassification Investigation Committee. Motion carried, and the Speaker appointed McNamer and O'Hair to serve on the committee.

Motion was made by Blewett, and carried, that the House recess until 2:00 p.m. this day.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 59, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 18, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 38.

HARPER

January 18, 1963

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 8 and 79.

HARPER

MOTIONS AND RESOLUTIONS

Motion was made by Goan that House Joint Resolution No 2 be rereferred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 122, introduced by Haines, Bardanouve, Watt, Twedt, Slaby: A bill for an act entitled: "An act to provide for tuition assistance for special education outside the State of Montana when adequate public facilities do not exist within the state; authorizing the Superintendent of Public Instruction to determine eligibility of children for assistance; defining tuition assistance; requiring approval of insitution attended; providing a method for payment; establishing school district and state obligations for payment; and requiring publication of rules and regulations by the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 123, introduced by Watt, Northey, Haines: A bill for an act entitled: "An act amending sections 31-127 and 31-129, R.C.M. 1947, relating to the issuance of operators licenses and instruction permits; requiring persons to be sixteen (16) years old to be eligible for such licenses or permits; prohibiting driving by drivers between the ages of sixteen (16) and eighteen (18) during the hours of darkness unless accompanied by a parent or guardian." Referred to Committee on Highways.

House Bill No. 124, introduced by Pierce, Rosell, Healy, Lombardi: A bill for an act entitled: "An act to provide that licensed physicians and surgeons, and other persons, shall not be liable for any civil damages for the rendition of emergency care or assistance done without compensation at the scene of emergencies or accidents, for any acts or omissions by such persons rendering such emergency care." Referred to Committee on Judiciary.

House Bill No. 125, introduced by Hazelbaker, Dykstra: A bill for an act entitled: "An act to amend section 10-111, Revised Codes of Montana, 1947, relating to the bearing of expenses in furnishing free higher education to certain inmates of the Montana Children's Center, The State Industrial School and The State Vocational School for Girls; raising the expenses to be borne by the above enumerated institutions for each of such students from four hundreds dollars (\$400.00) to eight hundred dollars (\$800.00); providing an effective date." Referred to Committee on Education.

House Bill No. 126, introduced by Gill: A bill for an act entitled: "An act providing that boundaries of a television district created by authority of Chapter 198, Laws of 1961, may be altered and outlying areas may be annexed from territory contiguous to an existing television district; and providing the procedure for such annexation." Referred to Committee on Townships and Counties.

House Bill No. 127, introduced by Haines, Northey, Deschamps, Hanks, Rosell, Healy, Good, Lombardi, Tracy, Twedt, Slaby: A bill for an act entitled: "An act appropriating moneys to the six units of the University of Montana for library acquisitions." Referred to Committee on Appropriations.

House Bill No. 128, introduced by Seymour, Pierce: A bill for an act entitled: "An act to amend section 4-108 of the Revised Codes of Montana, 1947, as last amended by section 2 of Chapter 235, Laws of 1957, relating to salaries of State Liquor Administrator and other employees and the duties of Assistant Administrator." Referred to Committee on State Administration.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 38 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Boughton, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 79.

Noes: Bardanouve, Blewett, Bradford, Brenner, Haughey, Cummings, Eskildsen, Raundal, Zimmer. Total 9.

Absent or not voting: Murray, Laas. Total 2.

Excused: Hawks, Hibbard, Etchart, Regan. Total 4.

House Bill No. 8 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck,

Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rehberg, Reinecke, Rosell, Schye, Seymour, Shleden, Slaby, Smiley, Smith, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Weeks, Welch, Woodard, Mr. Speaker. Total 73.

Noes: Bardanouve, Brenner, Adams, Hanks, Laas, Osburnsen, Raundal, Rearden, Selstad, Schepens, Spahr, Swanz, Wayrynen, Watt, Wright, Zimmer. Total 16.

Absent or not voting: Murray. Total 1.

Excused: Hawks, Hibbard, Etchart, Regan. Total 4.

House Bill No. 79 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: Hawks, Hibbard, Etchart, Regan. Total 4.

Extension of time was granted on House Bill No. 66.

Motion was made by Blewett that the House adjourn until 9:00 a.m., Saturday, January 19, 1963. Motion carried.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 19, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Murray, Beck, Crum, Turnage, Beam, Aasheim, Goan, Thompson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 90 and House Joint Resolution No. 1, beg leave to report that the same have this date been returned from the printed correctly printed.

NASH, Vice-Chairman

January 19, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 72, 74, 50, 76, 75, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 59 be removed from General Orders and rereferred back to the Committee on Appropriations. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 3, introduced by Stranahan, Asbjornson, Osburnsen: A Joint Memorial of the Senate and House of Representatives requesting that a new national park, to be named in honor of Charles M. Russell, be established along the Missouri River in Montana. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Memorial No. 4, introduced by Lucas, Mathers, Johnson, Murray: A Joint Memorial of the Senate and House of Representatives of the state of Montana to the congress of the United States; to its Montana congressional delegation; the committee on interstate and foreign commerce of the United States senate; the committee on interstate and foreign commerce of the United States House of Representatives; the interstate commerce commission; the Montana board of railroad commissioners; urging and requesting that hearings on the proposed abandonment of passenger service on the Milwaukee Railroad, to be held in Montana; opposing the abandonment of passenger service on the Milwaukee Railroad. Referred to Committee on Business and Industry.

House Bill No. 129, introduced by Harper, Wayrynen, Nash, Tooke, Falkenstern, Schye, Bashor: A bill for an act entitled: "An act to require railroads to provide certain facilities on all motor vehicles hereafter purchased for use in the transportation of maintenance of way employees; providing for settlement of disputes arising under this act by the board of railroad commissioners; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 130, introduced by Pierce, Flynn, Northey: A bill for an act entitled: "An act to prohibit retail sale of certain merchandise on Sunday, to prohibit requiring or permitting employees to sell certain retail merchandise on Sunday, and providing exceptions and definitions and penalties for violations." Referred to Committee on Business and Industry.

House Bill No. 131, introduced by Deschamps, Gill, Northey, Haines, Good, Nelson: A bill for an act entitled: "An act to amend section 53-101, R.C.M. 1947, as amended by chapter 208 of the Session Laws of the Thirty-Fifth Legislative Assembly, 1957, relating to duties and records of the

registrar of motor vehicles by providing a more extensive record in the case of dealers; to amend section 53-102, R.C.M. 1947, as amended by chapter 122 of the Session Laws of the Thirty-Seventh Legislative Assembly, 1961, relating to penalty for violation and enforcement of provisions by deleting section 53-118 from the penalty provision thereof; to amend section 53-118, R.C.M. 1947, as amended by chapter 245 of the Session Laws of the Thirty-fourth Legislative Assembly, 1955, relating to applications for dealer's licenses by providing for qualifications of dealers for licensing and providing a penalty for violation of the section; to amend section 53-133, R.C.M. 1947, relating to definitions with regard to motor vehicle registration by changing the definitions of dealer to conform with section 53-118; repealing section 53-138, R.C.M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 132, introduced by Bailey, Bardanouve, Boughton, Eskildsen, Haughey, Pierce, Osburnsen: A bill for an act entitled: "An act to define liability of landowner to other persons who may trespass on his property for the purpose of hunting, fishing or trapping, with or without permission." Referred to Committee on Judiciary.

House Bill No. 133, introduced by Keller, Weeks, Seymour, Smiley, Thompson, Selstad: A bill for an act entitled: "An act to amend sections 94-301 and 94-303, R.C.M. 1947, to provide that wilful non-support or neglect of a child or ward under sixteen years of age is a felony and prescribing penalties. Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Spahr of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 60 do pass.

That House Bill No. 19 do pass.

That House Bill No. 93 do pass.

That House Bill No. 61 do pass.

That House Bill No. 63 do pass.

That House Bill No. 47 do pass.

That House Bill No. 21 do pass.

That House Bill No. 62 do pass.

SPAHR, Chairman

Report adopted.

January 19, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 44, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett, and carried, that the House recess subject to the Call or the Chair.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 47, 93 and 62.

HARPER

January 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 21 and 61.

HARPER

MESSAGES FROM THE SENATE

January 19, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 31 introduced by Committee on Judiciary.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 60 and 19.

HARPER

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 134, introduced by Wayrynen, Hazelbaker, Garrison, Brenner: A bill for an act entitled: "An act to amend section 50-704, R.C.M. 1947, relating to the contents of affidavit of performance of annual work on lode or placer claims by the owner, and recording thereof, within twenty days after the annual work; defining annual assessment work." Referred to Committee on Business and Industry.

House Bill No. 135, introduced by Pierce, Asbjornson: A bill for an act entitled: "An act to amend sections 53-114 and 84-406, R.C.M. 1947, to provide that all motor vehicles shall be assessed for taxation purposes on the first day of January of each year." Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 47 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 78.

Noes. Eskildsen, Etchart, Wayrynen, East, Watt. Total 5.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 93 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Baldwin, Gill, Laas, Raundal, Slaby, Twedt, Wright. Total 7.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 62 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Regan, Spahr, Broeder, Wright. Total 4.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 21 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison,

Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Tracy, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 61 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Tracy, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 60 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: Jensen, Watt. Total 2.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

House Bill No. 19 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Casey, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson,

Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Cummings, Jensen, Schepens, Watt. Total 4.

Absent or not voting: Regan, Spahr, Broeder. Total 3.

Excused: Aasheim, Beam, Beck, Crum, Goan, Murray, Thompson, Turnage. Total 8.

Motion was made by Blewett that the House adjourn until 12:00 noon, January 21, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 21, 1963

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, Hibbard, Nichols, Regan, Rearden, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 21, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 108, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 21, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 82, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 21, 1963

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be employed by the House:

Ivye Eccles—Proof Reader

Carol Joyce McCutcheon—Proof Reader

DYKSTRA, Vice-Chairman

January 21, 1963

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 be printed and placed on General Orders.

HAWKS, Chairman

Report adopted.

January 21, 1963

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 be printed and placed on General Orders.

HAWKS, Chairman

Report adopted.

January 21, 1963

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do not pass.

HAWKS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 9 introduced by Dykstra and Jenkins.

House Bill No. 12 introduced by Jenkins and Dykstra

House Bill No. 13 introduced by Jenkins and Dykstra

House Bill No. 14 introduced by Dykstra and Jenkins

House Bill No. 15 introduced by Dykstra and Jenkins

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 19, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 15 introduced by Shaw, Grieve, Keller

Senate Bill No. 21 introduced by Carney, Shaw, McKenna

Senate Joint Resolution No. 1 introduced by Cashmore

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House.

House Bill No. 23 introduced by Judiciary

House Bill No. 24 introduced by Judiciary

House Bill No. 28 introduced by Judiciary

House Bill No. 29 introduced by Judiciary

House Bill No. 30 introduced by Judiciary

House Bill No. 33 introduced by Judiciary

House Bill No. 34 introduced by Judiciary

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 15, introduced by Shaw, Grieve, Keller: A bill for an act entitled: "An act to amend section 81-304, Revised Codes of Montana, 1947, pertaining to exchange of state lands by allowing exchange of state lands wherever situated." Referred to Committee on State Administration.

Senate Bill No. 21, introduced by Carney, Shaw, McKenna: A bill for an act entitled: "An act amending section 43-310, R.C.M. 1947, to provide for an increase in the mileage payments to members of the Legislative Assembly." Referred to Committee on Legislative Administration.

Senate Joint Resolution No. 1, introduced by Cashmore: A joint resolution of the Senate and House of Representatives requesting the State Laboratory Commission to designate the building now known as the State Laboratory Building as the W. F. Cogswell Building in honor of that Montana medical pioneer. Referred to Committee on State Administration.

House Bill No. 136, introduced by Bradford, Lucas Turnage: A bill for an act entitled: "An act to amend section 94-301, R.C.M. 1947, by specifying that abandonment or failure to support a wife or child is a felony." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 137, introduced by Haines, Spahr: A bill for an act entitled: "An act providing for the making of loans and investments by building and loan associations and savings and loan associations organized and operating under the laws of the State of Montana, and providing that such associations may make all loans and investments which may be made by federal savings and loan associations having domicile in the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 138, introduced by Judge, Wright, Bardanoue, Eskildsen: A bill for an act entitled: "An act creating a state department of commerce and economic development to promote tourism and industrial development; abolishing the State Planning Board and the Advertising Department of the State Highway Commission; amending sections 84-1812, and 84-1816, R.C.M. 1947; and repealing sections 89-301, 89-302, 89-303,

89-304, 89-305, 89-306, 89-307, 89-308, 89-309, R.C.M. 1947." Referred to Committee on State Administration.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Pierce of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 90 do pass.

That House Joint Resolution No.1 do pass.

That House Bill No. 72 do pass.

That House Bill No. 74 do pass.

That House Bill No. 50 do pass.

That House Bill No. 76 be placed at the bottom of the list for the day.

That House Bill No. 75 do pass.

That House Bill No. 44 do pass.

That Senate Amendments to House Bill No. 9 be concurred in.

That Senate Amendments to House Bill No. 12 be concurred in.

That Senate Amendments to House Bill No. 13 be concurred in.

That Senate Amendments to House Bill No. 14 be concurred in.

That Senate Amendments to House Bill No. 15 be concurred in.

That consideration of House Bill No. 76 be passed for the day.

PIERCE, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 136 be taken from the Committee on Public Health, Welfare and Safety and referred to the Committee on Judiciary. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Tuesday, January 22, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 22, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Regan, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 21, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 90, 72, 74, 44, 75, 50, and House Joint Resolution No. 1.

HARPER

January 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 63.

HARPER

January 22, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 51, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 22, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 5 and 6, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 22, 1963

Mr. Speaker: We, your Committee on Legislative Administration recommend the following:

That Joy T. Ryckman be employed as typist.

That Mrs. Helfert be changed from proof reader to assistant to Bills Committee Clerk.

And that Mrs. Barbara Young be changed from proof reader to assistant engrossing clerk.

NICHOLS, Chairman

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 do not pass.

DYKSTRA, Chairman

Motion was made by Dykstra for adoption of the committee report. Substitute motion was made by Pierce that House Bill No. 130 be taken from the Committee on Business and Industry and rereferred to the Committee on Labor and Compensation. After debate, Lundgren moved the previous question. Motion carried. Pierce requested a roll call vote on the substitute motion and that the results thereof be recorded in the Journal. A sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Beam, Beck, Deschamps, Egan, Flynn, Gill, Haines, Hanks, Leuthold, Northey, Pierce, Reinecke, Rosell, Schye, Selstad, Stranahan, Watt, Welch. Total 18.

Noes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Good, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Rehberg, Schepens, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 75.

Absent or not voting: None.

Excused: Regan. Total 1.

Original motion by Dykstra carried. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows:

In Line 18, page 9, of the original bill delete figures \$5,000.00 and insert in lieu thereof the figures "\$10,000.00,"

In Line 17, page 19, of the original bill after the word "surety" the following words be added "or both the broker and any salesman employed directly or indirectly by such broker and their respective sureties,"

And as so amended, do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do not pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do pass.

HAUGHEY, Chairman

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 139, introduced by Murray: A bill for an act entitled: "An act increasing the compensation of members and employees of the Montana Liquor Control Board; amending section 4-105, R.C.M. 1947, relating to the per diem compensation to be paid to members of the said board; and amending section 4-108, R.C.M. 1947, relating to the maximum annual salaries to be paid to employees of said board." Referred to Committee on State Administration.

House Bill No. 140, introduced by Murray, Seymour: A bill for an act entitled: "An act to amend section 4-114, R.C.M. 1947, relating to the establishment and classification of State Liquor Stores; providing for the classification of each store in cities or towns having two or more stores on the basis of average volume of business done by all such stores." Referred to Committee on State Administration.

House Bill No. 141, introduced by Weeks, Smiley, Aasheim, Swanz: A bill for an act entitled: "An act amending section 84-4198, R.C.M. 1947, to provide that lessee of tax deed land held by a county shall be given preference on the sale of such land if he bids an amount equal to the high bid for such land." Referred to Committee on State Administration.

House Bill No. 142, introduced by Dykstra, Judge, Pierce, Eskildsen, Jensen: A bill for an act entitled: "An act to amend section 59-538, R.C.M. 1947, which relates to the payments for subsistence or per diem paid to persons in the state service for time engaged in travel; to provide that there shall be paid to persons in the state service for the time engaged in travel within the state while on official business twelve dollars (\$12.00) per day, and for time engaged in travel outside the state sixteen dollars (\$16.00) per day." Referred to Committee on State Administration.

House Bill No. 143, introduced by Jensen, Blewett, Haines, Turnage, Wayrynen, Murray, Pierce, Bardanouve: A bill for an act entitled: "An act to amend section 53-103, of the Revised Codes of Montana, 1947; to amend section 53-104, of the Revised Codes of Montana, 1947; to amend section 53-106, of the Revised Codes of Montana, 1947; to amend section 53-106.1 of the Revised Codes of Montana, 1947; to amend section 53-108 of the Revised Codes of Montana, 1947; to amend section 53-115 of the Revised Codes of Montana, 1947; to amend Chapter 1, Title 53, Revised Codes of Montana, 1947, by adding new sections 53-115.1, 53-115.2, 53-115.3,

53-115.4, 53-115.5, and 53-115.6; to amend section 53-116, Revised Codes of Montana, 1947; to amend section 53-119, Revised Codes of Montana, 1947; and to amend section 53-122, Revised Codes of Montana, 1947; relating to motor vehicles and their registration and licensing by providing for and establishing a twelve-month registration and licensing period on certain vehicles; providing for an affidavit stating that the vehicle had not been operated on the highways of the State of Montana during the immediate previous registration period; defining 'vehicle', 'motor vehicle', 'new motor vehicle' and 'used motor vehicle'; providing for eight classifications of number plates to be renewed every twelve months bearing distinctive numbers and/or letters identifying each registration period; providing that no renewal of collector's items shall be required; providing for the expiration date of vehicle registrations; providing for the effective date of the renewal of the registration; providing when vehicles can be operated without displaying the registration certificate; providing for the time for registering and application for registering certain of those motor vehicles which by section 53-615 must pay an additional fee; providing for the designation of the registration period on the license plate; providing for the expiration of the registration and licensing period; providing for subsequent registration and licensing periods; designating the vehicles subject to this act; providing for initial registration and licensing periods; providing for registration and licensing dates for vehicles owned and not owned on effective date of this act; providing for the pro-rating of certain taxes and fees on vehicles registered and licensed for less than twelve months; stating the intent of the act; providing the method of computing the prorated taxes and fees; providing for the assignment of an appropriate number plate by the Treasurer and the shipment of the number plates; providing for the display of the number plate bearing the monthly series assigned; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Highways.

House Bill No. 144, introduced by Jensen, Blewett, Haines, Turnage, Wayrynen, Murray, Pierce, Bardanouve, Judge: A bill for an act entitled: "An act to amend section 53-114, of the Revised Codes of Montana, 1947, to amend section 53-117 of the Revised Codes of Montana, 1947; to amend section 53-617 of the Revised Codes of Montana, 1947, to amend section 53-618 of the Revised Codes of Montana, 1947; to amend section 53-621 of the Revised Codes of Montana, 1947; to amend Title 53, Chapter 6, of the Revised Codes of Montana, 1947, by adding thereto a new section 53-621.1; to amend section 53-622 of the Revised Codes of Montana, 1947, and to amend section 84-406, Revised Codes of Montana, 1947; relating to taxes and fees on motor vehicles by providing the time when and the means by which the value of the vehicle is determined and by providing for the payment of the taxes assessed and the levy upon which the tax is computed; providing the date upon which motor vehicles are assessed for tax purposes; providing for a change in the method of taxing the stock of motor vehicle dealers and providing when and by whom the tax shall be imposed and collected with regard to such vehicles; providing for the information to be placed upon the application for registration or reregistration by the County Treasurer; by providing for the distribution of the motor vehicle suspense fund between February 1 and February 10 of each year; by providing that a sales tax be imposed on sales of all new motor vehicles in lieu of certain other taxes and fees and the basis upon which the tax is figured; providing for the payment of the sales tax on certain vehicles on a pro-rated basis; providing for the method of compiling such pro-rated sales tax; dispensing with certain fees for one-half of a year; providing for an increase in the amount of the sales tax to be retained by the County Treasurer; providing for the expiration date and transfer of registration and license plates on certain vehicles; providing for the date on which a motor vehicle is assessed and deleting new motor vehicles held for sale in the stock of a motor vehicle dealer from the provisions of section 84-406; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Highways.

House Bill No. 145, introduced by Schye, Broeder: A bill for an act entitled: "An act to amend section 66-115, R.C.M. 1947, relating to the duties of an architect, and the time schedule for payments of an architect, in regard to a public building; and to provide that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on State Administration.

House Bill No. 146, introduced by Nichols, Crum, Hanks: A bill for an act entitled: "An act providing for the licensing and regulation of the practice of massage; establishing a board of massage therapists which shall perform specified duties and have designated powers; providing for receipt and disposition of monies, examinations, licenses, revocations and suspension of license and reciprocity with other states; declaring unlicensed practice of massage to be a public nuisance; providing penalties for violations; providing invalidity of a portion of this act shall not affect the remainder; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 90 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Regan. Total 1.

House Bill No. 72 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Bardanouve, Davis, Hanks, Harper, Healy, Johnson, Lombardi, Osburnsen, Wayrynen. Total 9.

Absent or not voting: None.

Excused: Regan. Total 1.

House Bill No. 74 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Jensen, Smiley. Total 2.

Excused: Regan. Total 1.

House Bill No. 44 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Regan. Total 1.

House Bill No. 75 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 91.

Noes: Eskildsen, Zimmer. Total 2.

Absent or not voting: None.

Excused: Regan. Total 1.

House Bill No. 50 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder,

Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smily, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: East, Egan Eskildsen, Etchart, Flynn, Harper, Laas, Watt Wright. Total 9.

Absent or not voting: None.

Excused: Regan. Total 1.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Murray, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 56.

Noes: Adams, Asbjornson, Baldwin, Beam, Boughton, Casey, Crum, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Keller, Mathers, McNamer, Nash, Nelson, Nichols, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Selmour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Weeks, Woodard, Wright. Total 37.

Absent or not voting: None.

Excused: Regan. Total 1.

House Bill No. 63 was passed by the following vote:

Ayes: Asbjornson, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Woodard, Wright, Mr. Speaker. Total 54.

Noes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bradford, Brenner, Broeder, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Keller, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Reinecke, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer. Total 39.

Absent or not voting: None.

Excused: Regan. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Etchart of Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 76 be passed for the day.

That House Bill No. 108 do pass.

That House Bill No. 82 do pass.

ETCHART, Chairman.

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 22, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 82 and 108.

HARPER

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do not pass.

HAINES, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 22, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 25 introduced by Stein, Jensen, Dussault Mahoney, Huntley, Gerard, Shaw, Moritz, Beley.

Senate Bill No. 26 introduced by McElwain.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 147, introduced by Hawks, Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume 6 of the Revised Codes of Montana of 1947; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 148, introduced by Hawks, Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume 7 of the Revised Codes of Montana of 1947; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 149, introduced by Hawks, Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of cumulative pocket supplements of 1963, for the Revised Codes of Montana, 1947; and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 150, introduced by Lucas: A bill for an act entitled: "An act amending section 91-2202, R. C. M. 1947, to provide for reasonable compensation for estate appraisers, to be allowed by the court or judge." Referred to Committee on Judiciary.

House Bill No. 151, introduced by Judiciary Committee: A bill for an act entitled: "An act to repeal obsolete statutes pertaining to the employment and compensation of the superintendent of banks, superintendent of banks' examiners and clerks, railroad commissioners, employees of the board of railroad commissioners, state engineer, assistant secretary of Carey land act board, the state fire marshal, assistant state fire marshal, first assistant state examiner, deputy state examiners and clerk for the state examiner, marshal of the supreme court, assistant attorneys general, attorney general's law clerk and stenographers: repealing sections 5-605, 72-106, 72-108, 72-109, 72-110, 81-2011, 81-2014, 82-405, 82-407, 82-408, 82-1012, 82-1205, 82-1206, and 82-1803, Revised Codes of Montana, 1947; providing an effective date." Referred to Committee on Judiciary.

House Bill No. 152, introduced by Pierce, Murray: A bill for an act entitled: "An act to amend section 92-208, R. C. M. 1947, and section 92-209, R. C. M. 1947, by eliminating the right of election by employees to be bound by the provisions of the workmen's compensation act except in the case of officers of private corporations." Referred to Committee on Judiciary.

House Bill No. 153, introduced by Weeks, Tooke, Baldwin: A bill for an act entitled: "A bill amending section 46-909, R. C. M. 1947, relating to factors considered in determining applications for livestock market certificates; and providing for an effective date." Referred to committee on Livestock and Irrigation.

House Bill No. 154, introduced by Weeks, Schye: A bill for an act entitled: "An act to amend section 16-2201 of the Revised Codes of Montana, 1947, which provides that boards of county commissioners may at their discretion make an increased levy of not more than ten mills for the purpose of constructing roads and bridges; to provide that commissioners in their discretion may make an increased levy of twelve mills for constructing roads and bridges." Referred to Committee on Townships and Counties.

House Bill No. 155, introduced by Goan, Bradford: A bill for an act entitled: "An act to amend section 84-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 156, introduced by Goan, Healy, Laas, Hawks: A bill for an act entitled: "An act to amend sections 82-3101, 82-3105 and 82-3106, Revised Codes of Montana, 1947, to provide for the administration of surplus property by the Montana state controller." Referred to Committee on State Administration.

House Bill No. 157, introduced by Weeks, Schye: A bill for an act entitled: "An act to amend section 16-912 which sets the salary, per diem and mileage payments for county commissioners; to provide for increases

in the salary, per diem and mileage payments for county commissioners in the official performance of their duties." Referred to Committee on Townships and Counties.

Senate Bill No. 25, introduced by Stein, Jensen, Dussault, Mahoney, Huntley, Gerard, Shaw, Moritz, Beley: A bill for an act entitled: "An act to require a true, plain and impartial statement of the meaning and purpose of any referendum, initiative or constitutional amendment submitted to the vote of the people of the state of Montana and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 26, introduced by McElwain: A bill for an act entitled: "An act to amend section 93-902, R. C. M. 1947, to prohibit any justice or judge of a court of record from acting as an administrator or executor in any estate, for compensation." Referred to Committee on Judiciary.

House Bill No. 158, introduced by Hawks: A bill for an act entitled: "An act providing for the allowance of an increase in ANB for budget purposes, where the anticipated increase of the school district amounts to twenty per cent or more over the preceding year." Referred to Committee on Education.

January 22, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 28, 24, 23, 30, 33, 34, 29.

SELSTAD

January 22, 1963

I have examined House Bills Nos. 28, 24, 23, 30, 33, 34, 29, introduced by the Committee on Judiciary, and find the same to be correct.

HAUGHEY, Chairman

Mr. Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 28, 33, 34, 29, 30, 23 and 24.

Motion was made by Blewett, and carried, that the House revert to Order of Business No. 3.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do pass.

WRIGHT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Extension of time was granted on House Bill No. 77.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 9 were passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Eskildsen, Laas, Wayrynen. Total 3.

Absent or not voting: Hawks, Murray, Woodard. Total 3.

Excused: Regan. Total 1.

Senate Amendments to House Bill No. 12 were passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Eskildsen, Laas, Raundal, Wayrynen. Total 4.

Absent or not voting: Goan, Hawks, Kvaalen, Woodard. Total 4.

Excused: Regan. Total 1.

Senate Amendments to House Bill No. 13 were passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Twedt, Watt, Weeks, Welch, Wright, Mr. Speaker. Total 80.

Noes: Eskildsen, Good, Laas, Lewis, Lombardi, Raundal, Shelden, Tracy, Wayrynen, Zimmer. Total 10.

Absent or not voting: Kvaalen, Turnage, Woodard. Total 3.

Excused: Regan. Total 1.

Senate Amendments to House Bill No. 14 were passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Wright, Mr. Speaker. Total 82.

Noes: Eskildsen, Laas., Lewis, Lombardi, Raundal, Shelden, Wayrynen, Zimmer. Total 8.

Absent or not voting: Kvaalen, Murray, Woodard. Total 3.

Excused: Regan. Total 1.

Senate Amendments to House Bill No. 15 were passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Mr. Speaker. Total 81.

Noes: Eskildsen, Laas, Lewis, Lombardi, Raundal, Shelden, Wayrynen, Zimmer. Total 8.

Absent or not voting: Kvaalen, Nichols, Woodard, Wright. Total 4.

Excused: Regan. Total 1.

House Bill No. 82 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Kvaalen, Woodard. Total 2.

Excused: Regan. Total 1.

House Bill No. 108 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cum-

mings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Bardanouve. Total 1.

Absent or not voting: Rearden, Woodard. Total 2.

Excused: Regan. Total 1.

Extension of time was granted on House Bills Nos. 67, 81, 83, 45, and 84.

January 22, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 28, 24, 23, 30, 33, 34, and 29, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:50 o'clock p.m. delivered to the Governor for his approval.

MURRAY, Chairman

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday, January 23, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

SEVENTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 23, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 23, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 120 and 114, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

January 23, 1963

Mr. Speaker: We, your Committee on Legislative Administration request that Joyce McCutcheon be removed from employment as a proof reader.

DYKSTRA, Vice-Chairman.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill 115, respectfully report as follows: That House Bill No. 115 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do pass.

LEUTHOLD, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Twedt, having voted on the prevailing side on previous action taken on House Bill No. 121, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 121 and that it be printed and placed on General Orders, and requested that a roll call vote be taken with the results thereof recorded in the Journal. A sufficient number of seconds arose, Haines moved the previous question after debate, and the motion failed to carry by the following vote:

Ayes: Aasheim, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Lund, O'Hair, Osburnsen, Raundal, Reardon, Regan, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Zimmer. Total 33.

Noes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 61.

Absent or not voting: None.

Excused: None.

Motion was made by Hanks that House Bill No. 76 be taken from General Orders and rereferred to the Committee on Agriculture for further consideration. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 159, introduced by Pierce, O'Hair, Bailey: A bill for an act entitled: "An act creating and establishing a Montana state game wardens' retirement system; defining the terms 'accumulated deductions', 'beneficiary', 'retired state game warden', 'board', 'contributor', 'final salary', 'actuarial equivalent', 'fund', 'involuntary retirement', 'member's annuity', 'optional retirement age', 'retirement age', 'retirement allowance', 'state annuity', 'state game warden'; creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game warden's retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the state of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance, involuntary retirement allowance, refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors, providing for restrictions on payments to beneficiaries; providing for the subrogation of the state of Montana to the rights of the members or dependents against certain third parties; providing for payments under other laws; providing for optional retirement allowances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that as to constitutionality the provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 160, introduced by Jensen, Turnage, Holtz, Haines, Watt, Spahr, Baldwin: A bill for an act entitled: "An act to provide for driver education; providing for the duties of the superintendent of public instruction and the supervisor of the Montana Highway Patrol; providing for the establishment of an automobile driver education fund consisting of ten per cent (10%) of collections of fees, fines and forfeitures on arrests by patrolmen and ten per cent (10%) of moneys from driver license fees; and providing for the disbursement of the moneys in such fund for administrative purposes and reimbursement to school districts and county high schools qualifying under this act." Referred to Committee on Education.

House Bill No. 161, introduced by Haines, Northey, Murray: A bill for an act entitled: "An act to establish the policy of the state of Montana for regulation of physical alteration of streams, for submission of plans for projects affecting such streams to the Montana fish and game commission, for approval or modification or other disposition of plans, and for remedies for failure to comply with this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 162, introduced by Zimmer, Turnage, Gill: A bill for an act entitled: "An act to amend section 11-2008, Revised Codes of Montana, 1947, relating to fire districts, to change the requirements for the petitions necessary to create, dissolve, and change boundaries of fire districts." Referred to Committee on Townships and Counties.

House Bill No. 163, introduced by Schye, Broeder: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating state building commission to approve the design and to supervise the inspection of construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the legislative assembly; providing that the construction and major repair of state buildings shall be authorized by the

legislative assembly; providing that the adjutant general shall not spend state money for state buildings without the approval of the state building commission; amending section 26-103, R.C.M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R.C.M. 1947, relating to the erection of buildings at the state soldiers' home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R.C.M. 1947, relating to the erection of facilities at units of the University of Montana." Referred to Committee on State Administration.

House Bill No. 164, introduced by Johnson, Davis, Lucas, Turnage, Wayrynen: A bill for an act entitled: "An act to amend section 25-401, R.C.M. 1947, and section 25-404, R.C.M. 1947, relating to jurors' fees and witnesses' fees." Referred to Committee on Judiciary.

House Bill No. 165, introduced by Northey, Deschamps, Wayrynen, Good, Haines, Healy, Keller, Weeks, Broeder, Blewett, Flynn, Hazelbaker, Lundgren: A bill for an act entitled: "An act known as the Montana Air Pollution Control Act; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expenses; fixing the duties and powers of said commission; providing for a study of air pollution and adoption of rules and regulations for the prevention and control thereof; providing for enforcement thereof and prohibition of violations of the act or rules and regulations adopted thereunder; providing for hearings and notices by the commission; providing for appeals from determinations by the commission; providing for creation, organization, powers and duties of county air pollution control divisions; providing for investigation of violations of act and rules and regulations thereunder; making the state board of health responsible for investigations and providing for its powers; authorizing the state board of health to cooperate with the commission in conducting and supervising research programs and requiring certain persons to file reports with the board containing information relative to air pollution; providing for appeals to the district courts and trial de novo; providing for appeals to the supreme court; repealing laws or parts of laws in conflict therewith; and providing a severability clause." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 166, introduced by Lucas, Dykstra, Wright, Beam, Hawks: A bill for an act entitled: "An act to provide medical assistance for the aged; providing a definition of such assistance, setting forth eligibility requirements, designating medical care and services available, setting forth the state and county share of participation, allowing free choice of licensed practitioners, prescribing liens and recoveries, and providing a repealing clause." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 167, introduced by Haughey, Haines, Goan, East, Spahr, Laas: A bill for an act entitled: "An act to amend sections 87-103, 87-104, 87-106, 87-109, and 87-149, R.C.M. 1947, which sections are a part of the unemployment compensation law; by providing for new bracketing in the determination of high quarter wages in the benefit schedule and increasing minimum qualifying wages; increasing the maximum weekly benefit amount; reducing duration by the number of weeks equal to the number of weeks of disqualification; increasing the disqualification for leaving work without good cause attributable to the employment; providing that average annual employer tax rates shall increase to 2.0 per centum or to 2.7 per centum if trust fund balance remains below \$20,000,000 continuously for one year or for two years, respectively; amending the definition of gross misconduct; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 168, introduced by Goan: A bill for an act entitled: "An act to require the fish and game commission to grant preference for antelope special licenses to residents who were unsuccessful in obtaining

a special license during the previous hunting season; and containing an effective date." Referred to Committee on Fish and Game.

House Bill No. 169, introduced by Judge, Leuthold, Hanks, Jensen, Smiley, Thompson: A bill for an act entitled: "An act to encourage and promote industrial and economic development in Montana by creating a utilization research laboratory and appropriating funds to continue and promote experiments for the utilization and development of suitable and potentially useful materials indigenous or adaptable to growth in this state." Referred to Committee on Appropriations.

House Bill No. 170, introduced by Egan, Aasheim: A bill for an act entitled: "An act to amend section 75-1603, R.C.M. 1947, to change the date of the annual election of school trustees from the first Saturday in April to the first Saturday in March." Referred to Committee on Education.

House Bill No. 171, introduced by East, Bradford, Falkenstern, Beck: A bill for an act entitled: "An act to amend sections 84-1831 and 84-1832, R.C.M. 1947, relating to the tax on special fuels; providing that the various counties, incorporated cities and towns and school districts of this state shall be exempt from the levy and imposition of said tax; providing for an effective date." Referred to committee on Ways and Means.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Lundgren of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 51 do pass.

That consideration of House Bill No. 5 be moved to the bottom of the list.

That further consideration of House Bill No. 6 be passed for the day.

That consideration of House Bill No. 5 be passed for the day.

LUNDGREN, Chairman

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 23, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 134, 43, and 58, beg to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass but that

Substitute House Bill No. 17, a bill for an act entitled: "An act to amend sections 84-1802, 84-1818, and 84-1819, R.C.M. 1947, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to any county, incorporated city or town or school district of this state shall be exempt from said tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits."

Do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on affairs of Cities, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do not pass but that

Substitute House Bill No. 18, A bill for an act entitled: "An act to amend section 84-1813, R.C.M. 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns, and school districts, of this state shall be exempt from said tax."

Do pass.

JENSEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 be amended in the following respects:

By inserting in the title of said bill the words "of towns" after the word "funds" on line 8 of the original bill;

By striking the word "municipal" on line 18 of the original bill, and inserting in lieu thereof the word "town";

By inserting the words "of towns" after the word "funds" on line 19 of the original bill;

And that House Bill No. 49, as so amended, do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 be amended as follows:

In line 24 of page 1 of the original bill delete the word "education" and the following comma.

In line 11 of page 2 of the original bill change the word "the" to the word "a".

In line 19 of page 2 of the original bill remove the period at the end of the sentence and add "and the illness of alcoholism."

In line 24 of page 2 of the original bill remove the comma after the word "therapists" and delete the word "educators".

In line 10 of page 3 of the original bill change the last word "shall" to the word "may".

And as so amended do pass.

KELLER, Chairman

Report adopted.

January 23, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 51.

HARPER

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bills Nos. 6 and 5 be taken from General Orders and rereferred to the Committee on Appropriations. Motion carried.

An extension of time was granted on the following House Bills: House Bills Nos. 88, 103 and 111.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 4, introduced by Bardanouve, Haughey, Hazelbaker: A joint resolution of the senate and house of representatives to move the Charles M. Russell painting in the House chambers to the Montana Veterans and Pioneers building. Referred to Committee on State Administration.

House Joint Memorial No. 5, introduced by Haines, Northey, Deschamps, Flynn, Watt: A joint memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, opposing the breaking up of the military post at Fort Missoula, Montana. Referred to Committee on Public Health, Welfare and Safety.

House Joint Memorial No. 6, introduced by Keller, Seymour, Lundgren, Broeder, Murray, Schye, Swanz, Nichols, Nelson, Deschamps, Northey, Jensen, Haines, Turnage, Smiley, Thompson, Hemstad, Beck, Asbjornson: A joint memorial of the Senate and House of Representatives of the state of Montana to the president of the Senate and to the speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the state of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the state of Montana; to the secretary of the interior and to the United States bureau of land management urging the passage of legislation to amend the forest service act so that the counties will henceforth receive 25% of the actual gross income of the monies received from the national forests. Referred to the Committee on Townships and Counties.

House Bill No. 172, introduced by Spahr, Lund: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to prior service and earnable compensation of the teachers' retirement system, and providing that prior service credit be allowed for military service for the period July 1, 1950, to December 31, 1953, and providing that full compensation received after July 1, 1961, may be used in computing benefits, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 173, introduced by Etchart, Hazelbaker, Eskildsen, Bailey: A bill for an act entitled: "An act to amend section 82-1131, R. C. M. 1947, relating to bidding requirements for construction, alteration and improvement of buildings and grounds on behalf of the state of Montana; raising the minimum per job figure from one thousand dollars

(\$1,000.00) to five thousand dollars (\$5,000.00); providing an effective date." Referred to Committee on State Administration.

House Bill No. 174, introduced by Mathers, Lucas, Bashor: A bill for an act entitled: "An act to amend section 75-1630, R. C. M. 1947, relating to school attendance in districts other than that of residence and providing for disapproval if there is not sufficient room." Referred to Committee on Education.

House Bill No. 175, introduced by Lucas, Etchart, Wayrynen, Asbjornson: A bill for an act entitled: "An act to amend section 1-603, Revised Codes of Montana, 1947, as amended by Chapter 16 of the Session Laws of the Thirty-first Legislative Assembly, 1949, relating to the operation of aircraft in a careless or reckless manner, by providing that the prohibition against operation of an aircraft in such manner as to endanger the life or property of others applies specifically to the pilot of such aircraft." Referred to Committee on Judiciary.

House Bill No. 176, introduced by Lucas, Etchart, Wayrynen, Asbjornson: A bill for an act entitled: "An act releasing owners and operators of aircraft from responsibility for damages or injuries to gratuitous passengers; providing such passenger assumes the ordinary negligence of such owner or operator; and providing the ordinary negligence of such owner or operator is imputed to such passenger; excepting owners or operators of aircraft whose gross negligence or reckless operation was the proximate cause; and also excepting owners or operators of such aircraft for hire or which are being demonstrated." Referred to Committee on Judiciary.

House Bill No. 177, introduced by Keller, Crum, Healy, Lombardi: A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to requirements for practicing or teaching cosmetology to provide that applicants for examination to practice or teach cosmetology be high school graduates or holder of a high school equivalency certificate." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 178, introduced by Keller, Crum, Healy, Lombardi: A Bill for an act entitled: "An act to amend Section 66-803, R. C. M. 1947, to provide that no professional beauty shop and school of cosmetology shall have a connecting entrance." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 179, introduced by Keller, Crum, Healy, Lombardi: A bill for an act entitled: "An act to amend section 66-815, Revised Codes of Montana, 1947, relating to license and examination fees to practice or teach cosmetology by providing for a license fee for inactive practitioners, and an annual renewal fee for cosmetological establishments." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 180, introduced by Keller, Beck, Bardanouve: A bill for an act entitled: "An act providing group life, accidental death and dismemberment insurance and group general or blanket hospital, surgical and medical coverage for certain persons in the service of the state of Montana and their dependents; defining terms used herein; establishing a state employees' group insurance commission to administer this act, to negotiate contracts for coverage, and to receive and remit monies; requiring the payments for benefits for state employees to be made one-half by the state and one-half by the covered employees; requiring the payments for benefits for dependents and retired employees to be made by individuals by deductions from salaries and retirement allowances and without participation by the state; providing coverage shall be voluntary; requiring persons covered by this act to pay an annual administrative fee to be used for the support of the commission; providing if any provisions hereof are held invalid the remainder of this act shall not be affected thereby; providing for the repeal of all acts or parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval." Referred to Committee on State Administration.

House Bill No. 181, introduced by Watt, Northey, Flynn, Haines, Beck, Nelson, Deschamps: A bill for an act entitled: "An act to provide for a special school district fund for maintenance and repair of school buildings, and for maintenance, repair and replacement of major equipment." Referred to Committee on Education.

House Bill No. 182, introduced by Watt, Flynn, Deschamps, Northey, Haines, Beck: A bill for an act entitled: "An act to amend sections 75-4138 and 75-4139, R. C. M. 1947, relating to the establishment of high schools to provide that a county high school may establish a branch of the county high school." Referred to Committee on Education.

House Bill No. 183, introduced by Spahr, Keller: A bill for an act entitled: "An act amending section 71-307, R. C. M. 1947, to require the county department of public welfare to provide coverage under the workmen's compensation act for applicants for general relief working for the county; and providing a penalty when an applicant for general relief refuses to perform work assigned to him." Referred to Committee on Judiciary.

House Bill No. 184, introduced by Spahr, Keller: A bill for an act entitled: "An act amending section 92-411, R. C. M. 1947, to define 'employee' as an applicant for general relief who is performing work for a county of this state." Referred to Committee on Judiciary.

House Bill No. 185, introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend chapter 24, Title 11, Revised Codes of Montana, 1947, by the addition of section 11-2414, providing regulations governing the terms and conditions of the refunding of municipal water and sewer revenue bonds." Referred to Committee on Affairs of Cities.

House Bill No. 186, introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend section 11-2218, Revised Codes of Montana, 1947, relating to the issuance and sale of negotiable revenue bonds for the construction, reconstruction, and improvement of municipal water and sewer systems and additions thereto, and the refunding of such bonds, to provide regulations governing the terms and conditions of such refunding." Referred to Committee on Affairs of Cities.

House Bill No. 187, introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend Chapter 37, Title 11, Revised Codes of Montana, 1947, by amending section 11-3703, 11-3706, 11-3707, 11-3711, 11-3712, 11-3718, 11-3721, 11-3722, and 11-3723, and by the addition of sections 11-3726 and 11-3727, relating to the provision of off-street parking facilities by cities; the establishment of parking commissions and the definition of their powers and duties; the operation and leasing of such facilities and the establishment of rates, fees and charges therefor; the issuance of revenue bonds and the pledge of revenues of such facilities for their payment; the form, negotiability, registration, and covenants and provisions for the security of such bonds; the establishment of a reserve fund from on-street parking meter revenues for the further security of such bonds; and the issuance of refunding revenue bonds." Referred to Committee on Affairs of Cities.

House Bill No. 88, introduced by Wayrynen, Eskildsen: A bill for an act entitled: "An act to provide funds for a program of medical assistance for the aged by amending section 84-5608, Revised Codes of Montana, 1947, relating to a discount on purchase of cigarette tax insignia, by discontinuing said discount and earmarking a percentage of cigarette tax moneys for the support of a program of medical assistance for the aged." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 51 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Sheldon, Slaby, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: Adams, Bardanouve, Boughton, Davis, McNamer, Smiley, Smith. Total 7.

Absent or not voting: Beam, Haines, Holtz, Jensen, Raundal, Schye. Total 6.

Excused: None.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Thursday, January 24, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

EIGHTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 24, 1963

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 9, 12, 13, 14 and 15.

SELSTAD.

January 23, 1963

I have examined House Bills Nos. 12 and 13 introduced by me and find the same to be correct.

JENKINS.

January 23, 1963

I have examined House Bill Nos. 9, 14 and 15 introduced by me and find the same to be correct.

DYKSTRA.

January 24, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 36 and 78, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be employed by the House:

Joy T. Ryckman, typist.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do not pass.

BROEDER, Chairman.

Motion was made by Broeder for adoption of the committee report. Substitute motion was made by Spahr that House Bill No. 11 be printed and placed on General Orders. Spahr requested a roll call vote, the results thereof to be spread on the Journal. A sufficient number of seconds arose, and a roll call vote was taken, as follows:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Beam, Beck, Blewett, Bradford, Davis, Deschamps, Dykstra, East, Falkenstern, Garrison, Haines, Hanks, Harper, Haughey, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Leuthold, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Seistad, Shelden, Smiley, Spahr, Swanz, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer. Total 58.

Noes: Baldwin, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Egan, Eskildsen, Etchart, Flynn, Gill, Goan, Good, Hawks, Healy, Jenkins, Kvaalen, Laas, Lewis, Lombardi, Lundgren, Murray, Osburnsen, Rosell, Seymour, Slaby, Smith, Spilde, Stranahan, Thompson, Turnage, Woodard, Mr. Speaker. Total 36.

Absent and not voting: None.

Excused: None.

Substitute motion carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do pass.

ADAMS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 20 introduced by Hibbard, Bardanouve, Blewett and Nichols.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 37 introduced by Groff, Hauk, Brenner.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 37, introduced by Groff, Hauk, Brenner: A bill for an act entitled: "An act to amend section 16-1015, R. C. M. 1947, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for

any one (1) year and to levy such taxes as are required by special or local statutes; and providing for an additional levy of four (4) mills for a prescribed period." Referred to Committee on Townships and Counties.

House Joint Resolution No. 5, introduced by Goan, Rosell, Rehberg: A joint resolution of the Senate and House of Representatives requesting and directing the superintendent of public instruction and the state board of education and board of regents of the state of Montana to establish within the public schools and colleges of the state a course of education teaching a full comparison of Americanism versus communism. Referred to Committee on Education.

House Bill No. 189, introduced by Smith, Hawks, Brenner, Eskildsen: A bill for an act entitled: "An act to authorize the creation and operation of cattle protective districts embracing all or portions of two or more counties, providing for the appointment of district cattle protective committees, providing for the powers, duties and financing of such cattle protective districts." Referred to Committee on Livestock and Ranges.

House Bill No. 190, introduced by Keller, Seymour, Holtz, Selstad, Northey: A bill for an act entitled: "An act to amend section 23-1611, R. C. M. 1947, relating to voting machines; providing that the period of time during which a voting machine must remain sealed and locked after an election shall be reduced from thirty (30) days to ten (10) days when a machine is used in any municipal primary nominating election; providing for an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 191, introduced by Garrison, Hazelbaker, Smith, Lucas, Boughton, Deschamps, Nelson, O'Hair, Harper, Eskildsen: A bill for an act entitled: "An act to amend section 26-104, R. C. M. 1947, relating to the powers and duties of the state fish and game commission and providing that before the commission may acquire by purchase, lease or agreement any lands in excess of ten (10) acres they must secure the consent thereto from the board of county commissioners of the county in which such lands are situated." Referred to Committee on Townships and Counties.

House Bill No. 192, introduced by Keller, Schye, Seymour, Holtz, Selstad, Smiley, Thompson: A bill for an act entitled: "An act to amend section 79-205, R. C. M. 1947, relating to the apportionment of forest reserve fund." Referred to Committee on State Administration.

House Bill No. 193, introduced by Watt, Wright: A bill for an act entitled: "An act to amend sections 75-1706 and 75-1723, R. C. M. 1947, by setting forth procedure for non-operating school district budget." Referred to Committee on Education.

House Bill No. 194, introduced by Highways Committee: A bill for an act entitled: "An act relating to distribution of state highway construction funds; amending subsection (5) of section 84-1817, R. C. M. 1947, as amended in 1959, to give the state highway commission discretion in the apportionment of moneys for the orderly programming and construction of federal aid interstate highway system projects; providing an effective date." Referred to Committee on Highways.

House Bill No. 195, introduced by Highways Committee: A bill for an act entitled: "An act relating to the regulation of traffic on highways; amending section 32-2174, R. C. M. 1947, so that the section will refer to vehicles approaching a 'yield' intersection, instead of a 'yield right of way' intersection; providing an effective date." Referred to Committee on Highways.

House Bill No. 196, introduced by Highways Committee: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemna-

tion order, to strike out matter which refers to assessment of compensation; amending section 93-9912, R. C. M. 1947, to provide for the use of the district court or judge for making the preliminary assessment of compensation, instead of using value commissioners, and to provide generally for the ascertainment and assessment of compensation, including land taken for underground natural gas storage reservoir; amending section 93-9915, R. C. M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending section 93-9920, R. C. M. 1947, to provide the procedure for putting the plaintiff in possession; repealing section 93-9914, R. C. M. 1947; providing a severability clause; providing an effective date." Referred to Committee on Highways.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Mathers of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Order, recommend the following:

That House Bill No. 120 do pass.

That House Bill No. 114 do pass.

That Senate Joint Resolution No. 2 be concurred in.

That House Bill No. 134 do pass.

That House Bill No. 43 do pass.

That House Bill No. 58 be amended by inserting after the enacting clause and before Section 1 in line 1 of the printed bill, the following: Section 77-117, R. C. M. 1947, is amended to read as follows: "77-117.

And as amended, do pass.

MATHERS, Chairman.

Report adopted.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 9, 12, 13, 14 and 15.

Motion was made by Blewett that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 24, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 120, 134, 58 and 43.

HARPER.

January 24, 1963

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be employed by the House:

Bob Ruegamer, janitor.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 81, respectfully report as follows:

That House Bill No. 81 be amended in line 1 of the title by striking the word "include" and inserting in lieu thereof the word "allow" and be further amended in line 2 of the title by inserting after the word "children" and before the word "within" the words "to be included";

And be further amended in Section 1 on page 1 line 32 of the original bill by striking the word "only" after the word "for" and before the word "the", and be further amended in line 32 after the stricken word "handicapped" by striking the words and punctuation "and trainable groups." and inserting in lieu thereof the following words and punctuation "group, and may assume responsibility for the trainable group."

And be further amended in Section 2 on page 2 of the original bill in line 16 after the word "educable" by striking the new words "or trainable" and be further amended in line 18 page 2 after the word "educable" by striking the new words "or trainable" and be further amended in line 19, page 2 after the word and punctuation "children," by inserting the following words and punctuation "and may provide classes for the trainable mentally retarded children."

And as so amended do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 3, respectfully report as follows: That House Joint Memorial No. 3 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do not pass.

WRIGHT, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 23, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 23—Introduced by Judiciary Committee.

House Bill No. 24—Introduced by Judiciary Committee.

House Bill No. 28—Introduced by Judiciary Committee.

House Bill No. 29—Introduced by Judiciary Committee.

House Bill No. 30—Introduced by Judiciary Committee.

House Bill No. 33—Introduced by Judiciary Committee.

House Bill No. 34—Introduced by Judiciary Committee.

Yours truly,

TIM BABCOCK,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that Rule 36, subsection 2 thereof, be amended as follows:

Except as hereinafter provided, no bills may be introduced after the 20th day. Exceptions are:

- (1) Revenue bills, which may be introduced up to and including the 25th day.
- (2) Bills approved by the select committee on reclassification and re-appraisal, which may be introduced up to and including the 30th day.

All bills introduced must be received by the Chief Clerk of the House prior to 5:00 p. m. of the last day for introduction. Substitute bills for bills pending and appropriation bills are excluded from the provisions of this subsection of this rule.

Without objection, the Speaker referred the motion to the Committee on Rules and Journal.

Extension of time was granted on House Bill No. 100.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 6, introduced by Dykstra, Hibbard, Regan, Wayrynen, Kvaalen, Haughey, Lucas, Hazelbaker, Blewett, Judge, Broeder: A joint resolution of the Senate and House of Representatives recognizing the contribution of the late Governor Donald G. Nutter to the state of Montana, and designating the trophy hall in the Veterans and Pioneers Memorial building in Helena to be hereinafter known as the Donald G. Nutter Memorial Trophy Hall. Referred to Committee on State Administration.

House Bill No. 197, introduced by Leuthold, Zimmer, Aasheim, Tooke, Bailey, Nutting: A bill for an act entitled: "An act to provide that the board of county commissioners shall create and establish a fund to be known as the 'classification and appraisal maintenance fund' and that the board may levy annually a tax not to exceed one mill upon all property in the county for maintaining current the classification and appraisal of taxable lands required by section 84-429.7 R. C. M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 198, introduced by Lucas: A bill for an act entitled: "An act to abolish the lien for those installments of special improvement district assessments on all lands heretofore sold by counties, which accrued after the counties acquired title to such lands, and before the counties sold such lands; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 199, introduced by Mathers, Haines: A bill for an act entitled: "An act to provide that possession of recently stolen property, without satisfactory explanation, shall be deemed prima facie evidence of guilt of larceny." Referred to Committee on Judiciary.

House Bill No. 200, introduced by Lucas, Keller: A bill for an act entitled: "An act to amend sections 15-108, 15-201, 15-204, 15-302 and 15-401, Revised Codes of Montana, 1947, to provide that the number of directors of private corporations created under Chapter 1 of Title 15 of the Revised Codes of Montana 1947, may be fixed by by-laws; providing for amendments to the articles of incorporation and by-laws so as to provide that the number of directors may be fixed by the by-laws; providing for the filling of vacancies in the office of director created by an increase in the number of directors; repealing all acts and parts of acts in conflict with this act; and providing for an effective date for this act." Referred to Committee on Business and Industry.

House Bill No. 201, introduced by Harper, Shelden, Schepens, Twedt, Cummings, O'Hair, Brenner: A bill for an act entitled: "An act giving all teachers a minimum of five (5) days per year sick leave and permitting the sick leave to be accumulated to a maximum of thirty (30) days if in continuous employment by a school district." Referred to Committee on Education.

House Bill No. 202, introduced by Mathers, Twedt: A bill for an act entitled: "An act to provide for the testing of liquefied petroleum gas measuring devices by the State Sealer of Weights and Measures; to provide that only those vapor meters that are approved by the State Sealer of Weights and Measures shall be used; to provide that vapor measuring devices are not to be deemed included within the provisions of section 90-129, R.C.M. 1947; to provide that liquified petroleum gas sold or delivered in a liquid state shall be done so at a corrected temperature of 60 degrees fahrenheit; to provide for the labeling of all containers of liquified petroleum gas; to provide for the rule and regulation making power of the Department of Weights and Measures to administer this act; to provide a penalty not to exceed \$100 for a violation of this act; and providing a repealing clause." Referred to Committee on State Administration.

House Bill No. 203, introduced by Judge, Turnage, Lucas, Haughey, Bradford, McNamer, Blewett: A bill for an act entitled: "An act

authorizing and empowering the Supreme Court of the State of Montana to recommend changes in the criminal law of the State of Montana to the end of uniformity in definition of crimes, arrests, trials, sentencing, pardon and parole, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; creating a commission to prepare suggested changes in the criminal law of the State of Montana and prescribing the membership and powers and duties of said commission; providing for employment of a secretary-stenographer of the commission and employment of research agencies, if deemed necessary; providing for the payment of actual travel and other expenses incurred by members of said commission in the discharge of their duties; providing that such recommended changes in the criminal law of the State of Montana shall be submitted to the Thirty-ninth Legislative Assembly of the State of Montana for its consideration; repealing all acts and parts of acts in conflict herewith and providing for an effective date of this act." Referred to Committee on Judiciary.

House Joint Resolution No. 7, introduced by Harper, Haines, Pierce, Goan, Hanks, Lombardi, Thompson, Smiley, O'Hair: A joint resolution of the Senate and House of Representatives requesting a thorough review of policy and procedures as affecting game management in the national parks with special emphasis on the present problem of the Yellowstone National Park elk herd. Referred to Committee on Fish and Game.

House Bill No. 204, introduced by Nash, Smiley: A bill for an act entitled: "An act to amend section 66-803, R.C.M. 1947, to alter and amend the qualification required for instructors and students in the field of cosmetology, and to provide for relief for emergencies due to a lack of qualified instructors." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 205, introduced by Spahr: A bill for an act entitled: "An act to amend section 31-155, R.C.M. 1947, relating to the penalty for driving while a driver's license is revoked." Referred to Committee on Highways.

House Bill No. 206, introduced by Hazelbaker, Garrison: A bill for an act entitled: "An act to require non-resident big game hunters to be guided by a licensed outfitter or resident big game hunter or landowner or lessee, and providing for special tags and validation thereof." Referred to Committee on Fish and Game.

House Bill No. 207, introduced by Rehberg, Mathers, Lucas: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to section 5, Article XVI of the Constitution of Montana deleting the provision forbidding a county treasurer to be eligible to his office for the succeeding term." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 208, introduced by Hazelbaker, Garrison: A bill for an act entitled: "An act relating to prospecting permits and mining leases, and amending sections 81-601, 81-604, 81-606, 81-607, 81-611, 81-615 and 81-619, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 209, introduced by Hawks: A bill for an act entitled: "An act authorizing the board of county commissioners of any county to designate portions of county roads as emergency areas if required by public health, safety, or convenience; providing for public notice thereof; providing the emergency area be designated with adequate signs; authorizing the board of control classes of traffic therein; prohibiting any livestock from entering such emergency area; authorizing county to impound any livestock found in such emergency area; providing that livestock impounded shall be treated as estrays under the provisions of 46-1001 to 46-1004, Revised Codes of Montana, 1947; and providing an effective date for such act." Referred to Committee on Livestock and Ranges.

January 24, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 114.

HARPER.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 2, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Aasheim, Badranouve, Beam, Boughton, Hawks, Judge, Kvaalen, Spahr, Twedt. Total 9.

Excused: None.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 120 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornsen, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Hawks, Spahr, Twedt. Total 3.

Excused: None.

House Bill No. 134 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Math-

ers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: Bardanouve, Flynn, Raundal. Total 3.

Absent or not voting: Hawks, O'Hair. Total 2.

Excused: None.

House Bill No. 58 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Swanz, Tooke, Turnage, Twedt, Weeks, Woodard, Wright, Zimmer. Total 70.

Noes: Aasheim, Bashor, Bradford, Cummings, Davis, Eskildsen, Harper, Lombardi, Lucas, O'Hair, Osburnsen, Raundal, Schepens, Selstad, Smiley, Stranahan, Thompson, Tracy, Watt, Wayrynen. Total 20.

Absent or not voting: Bardanouve, Hawks, Welch, Mr. Speaker. Total 4.

Excused: None.

House Bill No. 43 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Aasheim, Bradford, Brenner, Stranahan. Total 4.

Absent or not voting: Hawks, Holtz. Total 2.

Excused: None.

House Bill No. 114 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Aasheim, Brenner, Eskildsen, Harper, Laas, Lombardi, O'Hair, Raundal, Wayrynen, Welch. Total 10.

Absent or not voting: None.

Excused: None.

January 24, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 65, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

We, your Committee on Rules and Journal, having had under consideration motion to amend Rule 36, subsection 2, recommend that the motion be adopted and Rule 36, subsection 2, be amended in accordance with said motion.

BLEWETT, Chairman.

Report unanimously adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do not pass, but that

Substitute House Bill No. 52, A bill for an act entitled: "An act amending section 43-310, R.C.M. 1947, to provide for a per diem payment of twelve dollars (\$12.00) per day and for an increase in the mileage payments to members of the Legislative Assembly."

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 be amended to read as follows:

Section 3, page 2, line 12 of the original bill, after the word 'board' by striking the word 'of' and inserting in lieu thereof the word 'for'.

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 210, introduced by Seymour, Lewis, Swanz: A bill for an act entitled: "An act to establish a stable and uniform basis for interstate cooperation in driver licensing and the reporting of convictions and to be known as the driver license compact; setting forth the basic purposes of the compact; defining certain terms used in act; requiring party state to report convictions to licensing authority of home state of licensee; providing party state may give same effect of conviction regardless of jurisdiction of occurrence; providing that license authority in party state shall not issue license to party whose license has been suspended, revoked or to party who fails to surrender license of another party state; providing that adoption of compact will not nullify existing statutes; providing for administrator of act; providing for entry and withdrawal from compact; providing for construction and severability of act; providing that if any part of act held unconstitutional it shall not affect remaining parts of act; defining 'licensing authority' and 'executive head'; providing authority to furnish information to member states; providing that administrator shall not be entitled to additional compensation; requiring agencies or court to report to state agency; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 211, introduced by Dykstra, Broeder: A bill for an act entitled: "An act to amend section 79-1202, Revised Codes of Montana, 1947, as amended by Chapter 173, Laws of Montana, 1959, relating to investment of funds of the State of Montana, and altering the types of securities in which the long term investment fund may be invested; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 212, introduced by Regan, Murray: A bill for an act entitled: "An act to amend section 5-206, R.C.M. 1947, relating to the capital and surplus of state banks and the par value of the common capital stock of state banks." Referred to Committee on Business and Industry.

House Bill No. 213, introduced by Leuthold, Beam, Haughey, Goan: A bill for an act entitled: "An act amending section 16-4527 of the Revised Codes of Montana, 1947, pertaining to county water districts; providing that notice of intention to levy and collect taxes may be given by regular first class mail or registered mail and providing that in the said notice of intention the boundaries or description of the lands to be assessed may be recited in full or may be given by reference to instruments filed or recorded in the office of the clerk and recorder, treasurer or assessor of the county or counties in which the district or part thereof is situate; repealing all acts and parts of acts in conflict herewith; and providing a saving clause and an effective date." Referred to Committee on Townships and Counties.

Extension of time was granted on House Bills Nos. 84, 102 and 118.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Friday, January 25, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

NINETEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 25, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, Hawks, Hibbard, Nichols, and Regan, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 25, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 147, 148, 149, 150, 66 and Substitute House Bill No. 18, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do not pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended to read as follows:

Amend section 118 of the original bill by deleting in line 1, page 93 the words "of the general fund, as" and inserting in lieu thereof the words "the earmarked revenue fund for the use of the state board of nursing."

Amend section 119 of the original bill by deleting in line 26, page 93 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the sanitarians registration council".

Amend section 121 of the original bill by deleting in line 28, page 94 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of examiners in optometry".

Amend section 122 of the original bill by deleting in line 16, page 95 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of examiners in optometry".

Amend section 123 of the original bill by deleting in line 23, page 95 the words "state general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of registration for professional engineers and land surveyors".

Amend section 124 of the original bill by deleting in line 29, page 96 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the abstractors board of examiners".

Amend section 126 of the original bill by deleting in line 25, page 97 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of veterinary examiners".

Amend section 128 of the original bill by deleting in line 26, page 100 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of medical examiners".

Amend section 130 of the original bill by deleting in line 16, page 102 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of medical examiners".

Amend section 133 of the original bill by deleting in line 5, page 105 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of medical examiners".

Amend section 134 of the original bill by deleting in line 25, page 105 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of pharmacy".

Amend section 135 of the original bill by deleting in line 14, page 106 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state examining board of cosmetology".

Amend section 137 of the original bill by deleting in line 27, page 108 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of embalmers and funeral directors".

Amend section 138 of the original bill by deleting in line 8, page 109 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of barber examiners".

Amend section 140 of the original bill by deleting in line 8, page 110 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of architectural examiners".

Amend section 141 of the original bill by deleting in line 22, page 110 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of architectural examiners".

Amend section 142 of the original bill by deleting in line 16, page 111 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of chiropractic examiners".

Amend section 144 of the original bill by deleting in line 31, page 113 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the board of plumbing examiners".

Amend section 146 of the original bill by deleting in line 20, page 115 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of osteopathic examiners".

Amend section 147 of the original bill by deleting in lines 10 and 11, page 116 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of dental examiners".

Amend section 150 of the original bill by deleting in line 26, page 121 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the state board of dental examiners".

Amend section 153 of the original bill by deleting in line 17, page 124 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the water well contractor's examining board".

Amend section 154 of the original bill by deleting in line 18, page 125 the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund for the use of the water well contractor's examining board".

Amend section 2, subsection (9) of the original bill on line 4, page 5 by inserting after the word "includes" a comma and the words "but not limited to".

Amend section 7 of the original bill on line 32, page 6 by deleting the word "specific".

Amend section 2, subsection (7) of the original bill by deleting the semicolon in line 22, page 4 and inserting in lieu thereof a period; and by deleting all of lines 23, 24, 25, 26 and 27.

Amend the title of the original bill by deleting in line 30, page 2, the figures "27-313."

Amend the title of the original bill by inserting in line 22, page 2, following the figures "75-723", the figures "27-313".

Amend section 240 of the original bill by deleting in line 20, page 208, the figures "27-313".

Amend page 208 of the original bill by inserting between lines 12 and 13 a new section 240 to read as follows, and to renumber the following sections accordingly:

Section 240. Section 27-313, R.C.M. 1947, is amended to read as follows:

"27-313. Fees to be deposited with treasurer—payments to be made. All fees received by the state board of food distributors under this act shall be deposited with the state treasurer and deposited in the earmarked revenue fund for the use of the board. No expenses shall be incurred by said board in excess of the revenue derived from such fees."

and as so amended, do pass.

WRIGHT, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 24, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 32 introduced by Judiciary

House Bill No. 40 introduced by McNamer

House Bill No. 41 introduced by Lucas, Murray and McNamer

House Bill No. 46 introduced by Judiciary

House Bill No. 79 introduced by Blewett, Haughey and Murray

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 24, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 50 introduced by McDonnell, DeWolfe, Balgord,
Hafferman, Beley

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Joint Memorial No. 7, introduced by Jensen, Schye, Spilde, Tooke, Falkenstern, Lombardi: A joint memorial of the Senate and the House of Representatives of the State of Montana, to the Congress of the United States, requesting appropriate legislation to control the reporting and forecasting of election results on election day by electronic news media. Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 214, introduced by Judge: A bill for an act entitled: "An act creating a department of commerce and economic development to be governed by and consolidated with the State Planning Board; and providing for the duties of the department." Referred to Committee on State Administration.

House Bill No. 215, introduced by Dykstra, Bradford: A bill for an act entitled: "An act to amend section 16-3606, R.C.M. 1947, relating to quarters and equipment for the office of a justice of the peace for criminal cases; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 216, introduced by Bradford, Dykstra: A bill for an act entitled: "An act to amend section 93-513, R.C.M. 1947, relating to when sheriff to provide courtrooms, etc.; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 217, introduced by Bradford, Dykstra: A bill for an act entitled: "An act to amend sections 25-301, 25-303 and 25-306, R. C. M. 1947, to provide for increases in fees of justices of the peace in civil actions; to provide for increases in fees of justices of the peace in criminal actions; to provide for increases in salaries of justices of the peace in certain townships; repealing all acts and parts of acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 218, introduced by Tracy, Haines, Lombardi: A bill for an act entitled: "An act appropriating money for psychological testing services in the public schools of the state in accordance with the

provisions of Chapter 50 of Title 75 of the Revised Codes of Montana, 1947." Referred to Committee on Appropriations.

House Bill No. 219, introduced by Hibbard, Haughey, Spahr: A bill for an act entitled: "An act to require a deposit as evidence of good faith by bidders on state land leases." Referred to Committee on State Administration.

House Bill No. 220, introduced by Hibbard, Twedt: A bill for an act entitled: "An act to amend section 84-4942, Revised Codes of Montana, 1947, to require employers of agricultural, farm or ranch labor to withhold from wages due such employees income tax due to the State of Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 221, introduced by Smith, Woodard, Rosell, Eskildsen, Rehberg: A bill for an act entitled: "An act to amend section 94-35-204 of the Revised Codes of Montana, 1947, to include therein horse, mule, mare, colt, foal, filly and lamb." Referred to Committee on Livestock and Ranges.

House Bill No. 222, introduced by Etchart, Pierce, Rosell, Eskildsen, Wright: A bill for an act entitled: "An act to amend section 16-1803 (1) which pertains to the powers of county commissioners to enter contracts for the county and places a limitation of two thousand dollars (\$2,000) on purchases or contracts made without calling for bids; to provide that the commissioners may contract for purchases up to the amount of five thousand dollars (\$5,000.00) without calling for bids." Referred to Committee on Townships and Counties.

House Bill No. 223, introduced by McNamer, Murray: A bill for an act entitled: "An act to amend section 91-1702, R.C.M. 1947, to provide that no bond be required in certain cases, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 224, introduced by Beam, Wayrynen: A bill for an act entitled: "An act to amend section 75-1620, Revised Codes of Montana, 1947, relating to the expenses of election; and containing a repealing clause; and fixing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 225, introduced by Blewett, Murray, Bardanouve, Eskildsen: A bill for an act entitled: "An act pertaining to adjustment of hail insurance losses with the State Board of Hail Insurance; and amending section 82-1516, R.C.M. 1947, to allow applicant ten (10) days after receiving adjustment offer in writing to appeal; and giving applicant option to submit disagreement to arbitration or to bring suit against the State Board of Hail Insurance." Referred to Committee on State Administration.

House Bill No. 226, introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-1632, R.C.M. 1947, by deleting from subsection 11 the authority and duty of the trustees to provide clothing and medical aid for indigent children when it shall be made to appear that such aid is needed." Referred to Committee on Education.

House Bill No. 227, introduced by Keller, Blewett, Seymour, Baldwin, Hazelbaker, Murray, Pierce: A bill for an act entitled: "An act providing for payment of an honorarium for veterans of World War I from the proceeds of bonds to be retired with income from the cigarette tax; amending sections 3 and 17-A of initiative No. 54 and sections 84-5606 and 84-5621, R.C.M. 1947; and repealing sections 1, 2 and 12 of initiative No. 54." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 228, introduced by Lungren, Healy, Leuthold, Wayrynen, Wright, Good, Lombardi, Tracy, Watt: A bill for an act entitled: "An act amending section 75-402, R. C. M. 1947, to change the name of

the Montana School of Mines to the Montana College of Mineral Science and Technology." Referred to Committee on Education.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Seymour of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 36 do pass.

That House Bill No. 78 do pass.

That House Bill No. 65 do pass.

That Senate Bill No. 26 be concurred in.

That Senate Bill No. 25 be concurred in.

That consideration of Senate Bill No. 1 be passed for the day.

SEYMOUR, Chairman

Report adopted.

January 25, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 56, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 25, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 9, 12, 13, 14 and 15, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:45 o'clock a.m. delivered to the Governor for his approval.

MURRAY, Chairman

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 25, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 54, 106, 86, 164 and 49, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 25, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 36, 78 and 65.

HARPER

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do pass.

ADAMS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Senate Committee of the Whole, report adopted, and the same is herewith returned to the House:

House Bill No. 19 introduced by Lucas, Selstad and McNamer.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Extension of time was granted on House Bills Nos. 99, 107, 112, 119, 161, 97 and House Joint Memorial No. 2.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 50 introduced by McDonnell, DeWolfe, Balgord, Haferman, Beley: A bill for an act entitled: "An act to amend section 79-301, R.C.M. 1947, relating to deposit of funds in the hands of the State Treasurer and providing for the substitution of the securities pledged for the security of such deposits." Referred to Committee on State Administration.

House Bill No. 229, introduced by Smiley, Lund, Davis, Watt: A bill for an act entitled: "An act to amend sections 75-4231 and 75-1632, R.C.M. 1947, relating to the powers and duties of boards of trustees of school districts; authorizing the boards of trustees of first and second class districts to designate the school site or sites to be voted upon; and regulating the distance between privies or outhouses." Referred to Committee on Education.

House Bill No. 230, introduced by Smiley, Lund, Watt, Davis: A bill for an act entitled: "An act regulating schoolhouse sites and construction; amending section 75-3101, R.C.M. 1947, to establish the amount of land required for schools in first and second class districts and authorizing the State Board of Land Commissioners to sell or lease any tract of state land needed for school purposes; amending section 75-3103, R.C.M. 1947, to increase the square feet of floor space required for each pupil in erection of school buildings, or additions to or remodeling thereof; and repealing section 75-3105, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 231, introduced by Lucas, Dykstra: A bill for an act entitled: "An act amending section 15-1001, R.C.M. 1947, to provide for corporate acts to be accomplished by resolution signed by all of the stockholders and/or directors without the formality of a regular meeting of stockholders or directors." Referred to Committee on Business and Industry.

House Bill No. 232, introduced by Dykstra, Schye, Judge, Schepens, Crum: A bill for an act entitled: "An act exempting benefits received under the Federal Employees Retirement Act up to thirty-six hundred dollars (\$3,600.00) from Montana State income tax." Referred to Committee on Ways and Means.

House Bill No. 233, introduced by Lucas, Tooke, Spilde: A bill for an act entitled: "An act providing that under Chapter 18 of Title 84, R.C.M. 1947, the date of mailing is deemed the date of filing of reports, notices, payments or claims for refunds; providing that the State Board of Equalization establish rules and regulations and authorizing the State Board of Equalization to examine records of gasoline dealers; amending section 84-1801, R.C.M. 1947, to simplify the definitions of gasoline and aviation gasoline; amending section 84-1802, R.C.M. 1947, deleting requirement for sworn statements; amending section 84-1807, R.C.M. 1947, to provide that the lien has effect of a judgment lien; amending section 84-1809, R.C.M. 1947, to require invoices of dealers contain information required by the board; amending section 84-1831, R.C.M. 1947, changing the definition of special fuels; amending section 84-1833, R.C.M. 1947, providing for a one thousand dollar (\$1,000) bond for a special fuel dealer and providing for a lien for unpaid taxes; amending section 84-1835, R.C.M. 1947, by changing filing date." Referred to Committee on Ways and Means.

House Bill No. 234, introduced by Beck: A bill for an act entitled: "An act to provide for the reciprocal and expeditious disposition of detainers filed against inmates of prisons or other correctional institutions of party states; to provide for the speedy trial of persons confined in a penal or other correctional institution of a party state on charges and detainers based on untried indictments, informations or complaints and to provide for the final disposition of such charges and detainers; to provide that temporary custody of such prisoners may be made available to appropriate officers of party states for trial; to provide that escape from such temporary custody shall be punishable by confinement in the state prison for a term of not less than one year nor more than ten years; to provide for the appointment of a coordinator of this agreement; providing for an effective date and a repealing clause." Referred to Committee on Judiciary.

House Bill No. 235, introduced by Rehberg, Lucas: A bill for an act entitled: "An act requiring a corporation to obtain a tax clearance certificate from the State Board of Equalization before dissolution is allowed and providing that this act shall be codified as section 15-1119, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 236, introduced by Rehberg, Lucas: A bill for an act entitled: "An act to amend section 84-1511, R.C.M. 1947, providing that a dissolving corporation pay the corporation license tax determined on the basis of its net income for the final period in which it did business and deleting the amount of three per cent (3%)." Referred to Committee on Business and Industry.

House Bill No. 237, introduced by Rehberg, Lucas: A bill for an act entitled: "An act relating to the corporation license; providing for the determination of corporation license tax liability on deficiencies and overpayments; providing for periods of limitation—waiver; amending section 84-1504, R.C.M. 1947, to provide for an automatic extension; amending section 84-1505, R.C.M. 1947, to provide for computation of tax and return by the taxpayer by the fifteenth day of the fifth month following

the close of the taxable period; providing for a ten per cent (10%) penalty or six per cent (6%) per annum interest rate; amending section 84-1508, R.C.M. 1947, to delete the procedure for handling tax understatements." Referred to Committee on Business and Industry.

House Bill No. 238, introduced by Rehberg, Lucas: A bill for an act entitled: "An act providing for the destruction of tax records." Referred to Committee on State Administration.

House Bill No. 239, introduced by Schye, Swanz: A bill for an act entitled: "An act to amend section 32-2001, of the Revised Codes of Montana, 1947, by extending the policy of the state to include controlling of access to thoroughways and intersections with thoroughways; amending section 32-2002 of the Revised Codes of Montana, 1947, by providing definitions for the terms 'arterial highway', 'throughway', and 'throughway intersection area' and by including in the term 'controlled access highway', 'portions of thoroughways and roads, streets and highways within a throughway intersection area', amending section 32-2003 of the Revised Codes of Montana, 1947, by providing for control of access to thoroughways or roads, streets or highways within a throughway intersection area and by providing that no portion of a throughway or road, street or highway within a throughway intersection area shall be designated as a controlled access highway except upon petition of the governing body of cities, towns or counties and providing the petition to be irrevocable except upon concurrence of the State Highway Commission; amending section 32-2006 of the Revised Codes of Montana, 1947, by providing for the acquisition of property for controlled access highways or facilities; amending section 32-2007 of the Revised Codes of Montana, 1947, by providing for elimination of crossings with controlled access highways or facilities; amending section 32-2008 of the Revised Codes of Montana, 1947, relating to service roads by relating to controlled access highways as well as 'facilities'; amending section 32-2009 of the Revised Codes of Montana, 1947, relating to marking with signs by relating the same to controlled access highways as well as 'facilities'; amending section 32-2010 of the Revised Codes of Montana, 1947, relating to violations by prohibiting connections with a controlled access highway or facility except by permission of the State Highway Commission and the local governing body having jurisdiction over the highway or facility; repealing all acts and parts of acts in conflict herewith; providing that this act shall be in full force and effect from the date of its passage and approval." Referred to Committee on Highways.

House Bill No. 240, introduced by Nutting, Turnage, Jensen: A bill for an act entitled: "An act to amend section 11-2404, R.C.M. 1947, to alter and reduce the method and amount of advertising required in the sale of bond issues amounting to less than one hundred fifty thousand dollars." Referred to Committee on Affairs of Cities.

House Bill No. 241, introduced by Judge: A bill for an act entitled: "An act creating the Montana Board of Shorthand Reporters, its purpose and defining 'certified shorthand reporter'; providing for appointment to the board and qualifications; providing for terms of office on the board, its officers and bond of treasurer; providing powers of the board, qualifications of applicants, examinations, examination fee, expenses of the board, disposition of fees, reciprocal privileges; providing for revocation of licenses, penalty and certification; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 242, introduced by Lewis: A bill for an act entitled: "An act to accept the retrocession by the United States of America of concurrent police jurisdiction over the rights-of-way of the Blackfeet highway and over the rights-of-way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation in the State of Montana; providing an effective date." Referred to Committee on Highways.

House Bill No. 243, introduced by Bardanoue, Turnage: A bill for an act entitled: "An act to provide that justice courts and district courts shall have concurrent original jurisdiction in proceedings concerning the unlawful operation of motor vehicles by children under the age of eighteen (18) years; and providing for penalties; and amending sections 32-21-163 and 32-21-164, R.C.M. 1947." Referred to Committee Judiciary.

House Bill No. 244, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-5612 of the Revised Codes of Montana, 1947, to provide that all shipments of cigarettes into or out of the State of Montana shall be made by common carriers; providing for the reporting of such shipments; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Ways and Means.

House Bill No. 245, introduced by Selstad: A bill for an act entitled: "An act providing that a person who unlawfully and unintentionally causes the death of another person while operating a vehicle is guilty of homicide." Referred to Committee on Judiciary.

House Bill No. 246, introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-4303, R.C.M. 1947, by striking a portion thereof, and to amend section 75-4304, R.C.M. 1947, by changing the amount of tuition; providing an effective date and repealing clause." Referred to Committee on Education.

House Bill No. 247, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 40-2821, R.C.M. 1947, by extending the period when the tax on net insurance premiums shall be two and one-quarter percent of such premiums from the calendar years 1961 and 1962 to the calendar years 1963 and 1964." Referred to Committee on Ways and Means.

House Bill No. 248, introduced by Thompson, Haines, Flynn: A bill for an act entitled: "An act authorizing agencies, officers and departments of the State of Montana to enter into group insurance plans for their officers and employees, and providing a maximum contribution by the agency." Referred to Committee on State Administration.

House Bill No. 249, introduced by Regan, Broeder: A bill for an act entitled: "An act to provide for the marking of motor vehicles operating on the highways of the State of Montana, providing a penalty and providing an effective date." Referred to Committee on State Administration.

House Bill No. 250, introduced by Watt, Wayrynen, Rosell, Pierce: A bill for an act entitled: "An act to amend section 75-2707, R.C.M. 1947, and section 75-2709, R.C.M. 1947, relating to the minimum retirement benefits paid by the teachers retirement system under the present system and under the former retirement system; to provide for an increase in the minimum annual retirement allowance and to provide for the elimination of the expiration date of the present employers' contributions." Referred to Committee on State Administration.

House Bill No. 251, introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2011, R.C.M. 1947, relating to the Securities Act of Montana and the general provisions regarding registration of securities thereunder." Referred to Committee on Business and Industry.

House Bill No. 252, introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2015, R.C.M. 1947, relating to the Securities Act of Montana and the filing of a consent to service of process thereunder." Referred to Committee on Business and Industry.

Motion was made by Blewett that the House revert to Order of Business No. 1. Motion carried.

MESSAGES FROM THE SENATE

January 25, 1963

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate—House Bill No. 19 and House Bill No. 20.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Blewett moved that the House comply with the request of the Senate and return to the Senate, House Bill No. 19. Motion carried.

Blewett moved that House Bill No. 20 be taken from the Committee on Bills and returned to the Senate as per their request. Motion carried.

Keller moved that House Bill No. 118 be taken from the Committee on Public Health, Welfare and Safety and rereferred to the Committee on Affairs of Cities. Motion carried.

Extension of time was granted on House Bills Nos. 117 and 128.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 8, introduced by Harper, O'Hair, Keller, Tooke, Welch, Mathers, Zimmer: A joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana congressional delegation, the committee on Interstate and Foreign Commerce of the United States Senate, and the Committee on Interstate and Foreign Commerce of the United States House of Representatives requesting the passage of legislation to amend 34 statutes at large 1416, codified as 45 United States Code, Section 62, relating to the hours which employees of railroads may be required to work. Referred to Committee on Business and Industry.

House Bill No 253, introduced by Leuthold, Mathers, Laas, Nutting, Hemstad: A bill for an act entitled: "An act to amend section 15-2006, R.C.M. 1947, relating to the Securities Act of Montana and to the registration of broker-dealers, salesmen, and investment advisers thereunder." Referred to Committee on Business and Industry.

House Bill No. 254, introduced by Northey, Deschamps, Hemstad: A bill for an act entitled: "An act to authorize and direct the State Auditor to deliver certain warrants to the Montana Territorial Centennial Commission." Referred to Committee on State Administration.

House Bill No. 255, introduced by Kvaalen, Dykstra, Aasheim, Smiley, Haines, Spahr: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement and improvement of housing and other revenue-producing facilities at units of the University of Montana, and the borrowing of funds therefor by the regents by the issuance and sale of negotiable bonds and other securities and the making of purchases on time, payable solely from net income from rents and board, receipts from charges, admissions or fees for the facilities, and gifts, contributions and grants of funds, without obligating the State of Montana or using state funds except as provided, and the provision of security for such borrowing, and the refunding of outstanding obligations; repealing sections 75-207, 75-208, 75-209, 75-210, 75-211, 75-212, 75-213, 75-214 and 75-215, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 256, introduced by Holtz, Keller: A bill for an act entitled: "An act to amend section 32-1127, R.C.M. 1947, requiring special permits for movements of vehicles and loads of excess weight and size on Montana highways; authorizing the State Highway Commission to grant special permits in the public interest; and containing a repealing clause." Referred to Committee on Highways.

House Bill No. 257, introduced by Tracy, Good, Healy: A bill for an act entitled: "An act relating to the Montana Liquor Control Board, authorizing said board to fix the salaries of State Liquor Administrator and other employees; establishing limitations; amending section 4-108, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 258, introduced by Tracy, Healy, Lombardi: A bill for an act entitled: "An act relating to hours in retail store employment; amending section 41-1113, R. C. M. 1947, to provide rest periods." Referred to Committee on Labor and Compensation.

House Bill No. 259, introduced by Mathers: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1963 and 1964, providing a severability clause and an effective date." Referred to Committee on Ways and Means.

House Bill No. 260, introduced by Lucas, Dykstra: A bill for an act entitled: "An act to amend section 84-5409, R.C.M. 1947, relating to taxation and payment of royalty interest; providing for the liability of operators for royalty taxes; providing for the recovery by operators of royalty taxes; providing for an effective date and repealing all acts and parts of acts in conflict." Referred to Committee on Ways and Means.

House Bill No. 261, introduced by Lucas, Dykstra: A bill for an act entitled: "An act to amend section 84-6208, R. C. M. 1947, relating to the computation of taxes by the county assessor on net proceeds and royalties; providing for withholding by the producer; providing for an effective date and repealing all acts and parts of acts in conflict." Referred to Committee on Ways and Means.

House Bill No. 262, introduced by Lucas, Haines: A bill for an act entitled: "An act to enable boards of county commissioners to designate zoning districts in certain areas lying outside the corporate limits of cities and towns, and to adopt zoning regulations for these zoning districts, and to create zoning commissions and zoning boards of adjustment for these districts, and repealing sections 11-2710, 11-3852 and 11-3854, R. C. M. 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 263, introduced by Lucas, Mathers, Schepens, Kvaalen: A bill for an act entitled: "An act providing for the creation and establishment of community college districts, directing state board of education to supervise community colleges and junior colleges; providing for elections to create community college districts; providing for governing board of community college districts and for the election, terms and qualifications of its trustees; providing for powers of board of trustees and powers of community college districts; providing authority for, and financing of, maintenance and operations and capital improvements of community college districts; providing for instruction to be offered by community and junior colleges; authorizing negotiations with school districts for property and providing for adult education courses and exchange of teachers; providing that present junior colleges may be established as community colleges and community college districts; and providing for annexation of additional areas to community college districts; repealing sections 75-4401, 75-4402, 75-4403, 75-4404, 75-4405, 75-4406, 75-4407, 75-4408, 75-4409, 75-4410, 75-4411 and 75-4412, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 264, introduced by Watt: A bill for an act entitled: "An act to amend section 75-1720, R. C. M. 1947, to provide that a tax levy to

pay outstanding emergency warrants issued by a school district shall be levied against all the taxable property in the county in which the school district is located." Referred to Committee on Townships and Counties.

House Bill No. 265, introduced by Pierce, Beam: A bill for an act entitled: "An act to regulate mobile homes and mobile home parks; defining terms; establishing a mobile home commission; empowering mobile home commission to make and enforce all necessary sanitary, health and safety regulations for such mobile homes and mobile home parks; and, to establish cooperative agreements with other Montana agencies; providing for licensing and license fee; and providing procedure for cancellation or denial of license; providing for inspections and report of inspection; empowering mobile home commission to issue subpoenas; prescribing penalties; providing for fee required by this act to supersede other fees for the same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing all acts or parts of acts in conflict herewith; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 266, introduced by Weeks: A bill for an act entitled: "An act to amend section 32-201, R. C. M. 1947, which provides that boards of county commissioners may in their discretion levy a tax of not more than ten (10) mills on the taxable property in the county for the construction, maintenance and improvement of public highways; to provide that boards of county commissioners may in their discretion levy a tax of not more than twelve (12) mills on the taxable property in the county for the construction, maintenance and improvement of public highways." Referred to Committee on Townships and Counties.

House Bill No. 267, introduced by Seymour, Kvaalen, Smiley, Spahr: A bill for an act entitled: "An act to amend section 75-3510 of the Revised Codes of Montana, 1947, relating to the adoption of textbooks for all schools and for all school courses; by establishing a textbook evaluation commission, providing for the appointment, duties and remuneration thereof, for the adoption of textbooks in each school district and for each high school, and providing an effective date and repealing clause." Referred to Committee on Education.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 26 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: None.

Absent or not voting: Deschamps, Murray, Northey, Tracy. Total 4.

Excused: Aasheim, Etchart, Goan, Hawks, Hibbard, Lucas, Nichols, Regan, Thompson. Total 9.

Senate Bill No. 25 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam,

Beck, Bradford, Brenner, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Healy, Hemstad, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Shelden, Slaby, Smiley, Spilde, Stranahan, Swanz, Tooke, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 67.

Noes: Blewett, Boughton, Broeder, Haughey, Holtz, Jensen, Keller, Kvaalen, Murray, Selstad, Seymour, Smith, Spahr, Turnage, Weeks. Total 15.

Absent or not voting: Deschamps, Northey, Tracy. Total 3.

Excused: Aasheim, Etchart, Goan, Hawks, Hibbard, Lucas, Nichols, Regan, Thompson. Total 9.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 36 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: None.

Absent or not voting: Deschamps, Garrison, Northey, Swanz. Total 4.

Excused: Aasheim, Etchart, Goan, Hawks, Hibbard, Lucas, Nichols, Regan, Thompson. Total 9.

House Bill No. 78 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Haines, Hanks, Harper, Hemstad, Holtz, Jenkins, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 69.

Noes: Baldwin, Bradford, Casey, Good, Haughey, Healy, Jensen, Kvaalen, Lombardi, Murray, Raundal, Turnage, Wayrynen, Wright. Total 14.

Absent or not voting: Deschamps, Northey. Total 2.

Excused: Aasheim, Etchart, Goan, Hawks, Hibbard, Lucas, Nichols, Regan, Thompson. Total 9.

House Bill No. 65 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam,

Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hemstad, Holtz, Jenkins, Jensen, Judge, Keller, Laas, Leuthold, Lewis, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Healy, Johnson, Kvaalen, Lombardi, Raundal, Wayrynen. Total 6.

Absent or not voting: Deschamps, Northey. Total 2.

Excused: Aasheim, Etchart, Goan, Hawks, Hibbard, Lucas, Nichols, Regan, Thompson. Total 9.

Extension of time was granted on the following: House Joint Resolution No. 2, House Bills Nos. 91, 96, 98, 87 and 64.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Saturday, January 26, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

TWENTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 26, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members present except Hanks and Lucas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 26, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 11, 69, 103, 151 and Substitute House Bill No. 17, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do pass.

HAINES
NASH
REARDEN
BECK
BALDWIN
SCHEPENS
CRUM
HEALY
REINECKE
BASHOR
KELLER, Chairman

Motion was made by Keller for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

SELSTAD
TWEDT
WEEKS
BRADFORD

Substitute motion was made by Selstad for adoption of the Minority report. After debate, Laas moved the previous question. Substitute motion failed to carry. Majority report adopted.

MESSAGES FROM THE SENATE

January 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 36 introduced by Cook, et al

Senate Bill No. 39 introduced by Rieder

Senate Bill No. 49 introduced by Beley, et al

Senate Bill No. 51 introduced by Cashmore

Respectfully

ALLEN DONOHUE
Secretary of the Senate

January 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 85 introduced by Committee on Appropriations

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

HOUSE RESOLUTION NO. 1

INTRODUCED BY BLEWETT

Be It Resolved by the House of the State of Montana:

That Joint Rule of the Senate and House No. 20 be amended to read as follows:

"No. 20 Form of Bills—Bills, Joint Resolutions and Joint Memorials introduced shall be typewritten on paper eight and one-half by thirteen inches with numbered lines, and shall be in quadruplicate. Pica or Elite type and a good black ribbon must be used. All Bills, Joint Resolutions and Joint Memorials introduced shall be numbered at the foot of each page and shall have white covers of a substantial material. Bills proposing amendments to existing statutes shall indicate the matter to be stricken out with a line through the words or part to be deleted, and all new matter with underscoring of the part inserted.

No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall contain more than one subject, which shall be clearly expressed in the title; and no bill shall be so altered or amended on its passage through either House as to change its original purpose. The enacting clause of every bill shall be as follows: 'Be It Enacted by the Legislative Assembly of the State of Montana.'"

Motion was made by Blewett that the resolution be adopted. The Speaker referred the motion to the Committee on Rules and Journal.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measures at length, and referred to committees:

Senate Bill No. 36, introduced by Cook, Hauk, Graham, Schoonover, Huntley, McKeon, Durkee, Melcher, McDonnell, Gerard, Breen, Rieder: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and containing an expiration date." Referred to Committee on Fish and Game.

Senate Bill No. 39, introduced by Rieder: A bill for an act entitled: "An act to amend Section 94-3579, Revised Codes of Montana, 1947, re-

lating to use of firearms by children under the age of fourteen years." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 49, introduced by Beley, Hafferman, McDonnell: A bill for an act entitled: "An act to establish legal capacity and obligation of minors in contracting to borrow money to finance education beyond high school." Referred to Committee on Judiciary.

Senate Bill No. 51, introduced by Cashmore: A bill for an act entitled: "An act to amend section 11-986, R. C. M. 1947, providing for the acquisition of landing fields or parking areas for aircraft, lots or lands for parking areas for automobiles within the corporate limits of municipalities, and deleting therefrom the prohibition against municipalities erecting structures on lots or lands for the purpose of parking automobiles within municipalities." Referred to Committee on Affairs of Cities.

House Joint Memorial No. 9, introduced by Stranahan, Schye, Asbjornson, McNamer, Laas: A joint memorial of the Senate and House of Representatives requesting that a new state park, to be named in honor of Charles M. Russell, be established along the Missouri River in Montana. Referred to Committee on State Administration.

House Bill No. 268, introduced by Shelden, Schepens, Cummings, Rearden: A bill for an act entitled: "An act to amend section 84-1504, R.C.M. 1947, to provide that net income of corporations making patronage refunds shall be determined for tax purposes in the same manner as provided under existing federal law or future amendments thereto." Referred to Committee on Business and Industry.

House Bill No. 269, introduced by Shelden, Schepens, Cummings, Rearden: A bill for an act entitled: "An act amending section 84-4905, R.C.M. 1947, to specifically tax to individuals patronage dividends or refunds as defined by section 17 of the Federal Revenue Act of 1962 or as said act may be labeled and amended." Referred to Committee on Business and Industry.

House Bill No. 270, introduced by Judge, Schye: A bill for an act entitled: "An act amending section 40-2822, R.C.M. 1947, pertaining to countersignature requirement on insurance policies issued in Montana; eliminating necessity for countersignature on bid bonds required under section 6-501, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 271, introduced by Crum, Keller, Spahr, Haines: A bill for an act entitled: "An act to amend section 4-403, R.C.M. 1947, as amended, relating to the issuance of retail liquor licenses; limiting the number of licenses and lapse and cancellation of same; increasing the population figures for limiting licenses in cities, towns; and providing for limited licenses on population basis in counties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 272, introduced by Dykstra, Turnage: A bill for an act entitled: "An act to amend section 91-4414 of the Revised Codes of Montana, 1947, as amended by chapter 105 of the Laws of the Thirty-Third Legislative Assembly, 1953, relating to exemptions from inheritance tax, by amending subsection (1) thereof relating to transfers totally exempt." Referred to Committee on Ways and Means.

House Bill No. 273, introduced by Swanz, Weeks, Adams, Schye, Nash, Judge, Baldwin: A bill for an act entitled: "An act to amend section 32-1262 to establish the Lewis and Clark Highway from the Idaho-Montana state line to the North Dakota state line and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 274, introduced by Shelden, Bradford: A bill for an act entitled: "An act to amend section 11-1024, Revised Codes of Montana, 1947, relating to authority of counties, cities and towns to enter into

group hospitalization, medical, health, accident and/or group life insurance contracts or plans and the contribution of counties, cities and towns to such contracts or plans, to provide for eliminating the limitation on county, city and town contributions to such contracts or plans from five dollars (\$5.00) per month for each officer, employee and their dependents; repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 275, introduced by Judge, Zimmer, Lundgren, Tooke: A bill for an act entitled: "An act to amend subsection (2) of section 16-1904, R.C.M. 1947, which pertains to the manner in which the county commissioners shall fix the amounts to be expended for each item in the annual county budget and which provides that the amount appropriated and authorized for any budget item must not exceed by more than ten percentum (10%) the amount actually expended for that item in the budget for the fiscal year immediately preceding; to provide that the amount appropriated and authorized for any budget item must not exceed by more than ten percentum (10%) the amount appropriated and authorized for such budget item in the budget for the fiscal year immediately preceding." Referred to Committee on Townships and Counties.

House Bill No. 276, introduced by Lund, Stranahan, Cummings: A bill for an act entitled: "An act to amend 81-414, R.C.M. 1947, by modifying the procedure for changing the terms of state land leases." Referred to Committee on State Administration.

House Bill No. 277, introduced by Lund, Stranahan, Wright: A bill for an act entitled: "An act to amend 81-908, R.C.M. 1947, by increasing the amount of state land one person or corporation can purchase from one to two sections." Referred to Committee on State Administration.

House Bill No. 278, introduced by Murray: A bill for an act entitled: "An act to amend section 93-5505, R.C.M. 1947, relating to the time within which to prepare, serve and file a proposed bill of exceptions; and providing for a seventy-five (75) day period from and after the entry of judgment or notice thereof or the determination of a motion for a new trial." Referred to Committee on Judiciary.

House Bill No. 279, introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 11-2315, Revised Codes of Montana, 1947, relating to the sale of bonds by incorporated cities and towns; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 280, introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 75-3918, Revised Codes of Montana, 1947, relating to the sale of school district bonds by the boards of school trustees; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Education.

House Bill No. 281, introduced by Jensen, Pierce, Laas: A bill for an act entitled: "An act to amend section 16-2032, Revised Codes of Montana, 1947, relating to the sale of county bonds by the boards of county commissioners; providing that no special fiscal agent, financial adviser or financial planner shall be employed in any manner relating to the planning, authorization, issuance, advertising, negotiation or sale of general obligation bonds; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 282, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to be known as the uniform commercial code, revising the law relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; providing for filing fees in certain circumstances; regulating remedies, procedure, evidence, and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending sections 3-226, 5-803, 5-1001, 5-1114, 8-709, 11-2404, 11-3714, 11-3721, 11-3910 (b), 13-606, 16-2905, 16-2922, 16-2923, 19-103, 25-231, 32-1905 (2), 45-109, 45-112, 45-116, 45-301, 45-308, 45-704, 45-707, 45-809, 45-911, 45-1106, 45-1107, 45-1410, 47-124, 52-114, 52-116, 52-212, 52-312, 52-313, 52-314, 52-319 through 52-323, 53-310, 66-202, 67-1301, 72-211, 72-224, 74-608, 79-1905, 88-152, 88-154, 89-109 (2), 93-2802, 93-3403, 93-4301, 93-4302, 93-4307 (4), 93-4338, 93-4344, 93-4346, 93-5811, 93-6001, 93-6004, 93-8613, 93-401-22 and 93-1401-7 of the Revised Codes of Montana, 1947; repealing sections 5-1007, 5-1008, 5-1016, 5-1017, 5-1043, 5-1047 through 5-1049, 8-501 through 8-507, 8-816 through 8-818, 14-523, 15-603, 15-605, 15-628 through 15-651, 16-2921, 17-308 through 17-314, 17-601, 17-602, 18-201 through 18-205, 30-601 through 30-609, 45-106, 45-1104, 45-1301 through 45-1305, 52-301 through 52-311, 52-315 through 52-317, 55-101 through 55-1801, 56-107, 65-104, 65-107, 65-115 through 65-126, 65-201 through 65-219, 67-1702 through 67-1704, 72-303, 72-305 through 72-307, 74-201, 74-202, 74-204 through 74-207, 74-321, 74-401 through 74-403, 74-502, 86-705, 86-706, 88-101 through 88-149, 88-156 through 88-160 and 93-4339 of the Revised Codes of Montana, 1947, and all other legislation inconsistent herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 283, introduced by Tooke, Mathers: A bill for an act entitled: "An act to authorize the Montana Livestock Commission, upon petition of fifty-one percent (51%) of the sheep raisers owning fifty-one percent (51%) of the sheep in any county of the state, to require a permit for the removal of sheep from such county; providing for the form and issuance of such permits; providing that it shall be a misdemeanor to remove sheep from such a county without a permit; and providing for the manner of removing the requirement for such a permit." Referred to Committee on Livestock and Ranges.

House Bill No. 284, introduced by Johnson, Sheldon, Tracy, Lombardi: A bill for an act entitled: "An act to amend section 92-827, R.C.M. 1947, relating to fees of persons representing claimants in proceedings before the industrial accident board; and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 285, introduced by Hazelbaker: A bill for an act entitled: "An act amending section 75-1804, R.C.M. 1947, to provide that no school district, or any portion thereof, shall be included in a petition for consolidation or change of boundaries more than once during one calendar year." Referred to Committee on Education.

House Bill No. 286, introduced by Smiley, Holtz, Rearden, Healy: A bill for an act entitled: "An act to amend chapter 12 of title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the conduct of elections under the provisions of sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801, and 75-3913, Revised Codes of Montana 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that a majority of the taxpayers and a majority of the real estate taxpayers must vote for

such measures in order to adopt and approve the same; to amend chapter 3 of title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend section 23-304, Revised Codes of Montana 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505, Revised Codes of Montana 1947, to provide for the manner of conducting elections; repealing sections 16-2203, 84-4707, 84-4708, 84-4709, 84-4710, 75-3911, 75-3912, and 75-3914, all dealing with elections on bond or debenture issues and tax levies, repealing all acts and parts of acts in conflict herewith, and providing an effective date for this act." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 287, introduced by Flynn, Watt, Turnage: A bill for an act entitled: "An act to provide for a bond to insure against defects resulting from inferior workmanship, material or planning in a public building which are detected within one year of completion of such building." Referred to Committee on Business and Industry.

House Bill No. 288, introduced by Judge: A bill for an act entitled: "An act to amend section 40-4815, R.C.M. 1947, relating to the application of said section to domestic insurers, and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 289, introduced by Wayrynen, Reinecke, Pierce, Tracy: A bill for an act entitled: "An act prohibiting certain fish derbies." Referred to Committee on Fish and Game.

House Bill No. 290, introduced by Wayrynen, Pierce, Gill, Welch, Seymour, Tracy: A bill for an act entitled: "An act to amend sections 26-201 and 26-320, R. C. M. 1947, by including mourning doves within the definition of migratory game birds and allowing the Fish and Game Commission to open the season and prescribe bag limits for mourning doves in a county upon the recommendation of the county commissioners." Referred to Committee on Fish and Game.

House Bill No. 291, introduced by Wayrynen, Reinecke, Gill, Tracy: A bill for an act entitled: "An act to amend section 26-301, R.C.M. 1947, by removing the prohibition against using salmon eggs, salmon spawn or imitations as bait for fishing." Referred to Committee on Fish and Game.

House Bill No. 292, introduced by Thompson, Schye: A bill for an act entitled: "An act relating to payment of wages and protection of discharged employees; amending section 41-1301, R. C. M. 1947, to require employers to notify employees in writing or by posted notice of terms of employment and extending the protection of said section to agricultural, stock growing, supervisory and technical employees, and imposing responsibility upon corporate officers and managers for knowingly permitting violation; amending section 41-1302, R. C. M. 1947, to increase penalty for nonpayment of wages; amending section 41-1303, R. C. M. 1947, to impose penalty for failure to pay wages due and owing upon discharge after demand; amending section 41-1305, R. C. M. 1947, to eliminate reference to five per cent penalty; amending section 41-1315, R.C.M. 1947, to extend protection to employees in other than certain mining, mineral refining and oil drilling enterprises; and repealing sections 41-1312, 41-1313, 41-1314 and 41-1319, R.C.M. 1947." Referred to Committee on Labor and Compensation.

House Bill No. 293, introduced by Thompson, Schye: A bill for an act entitled: "An act to amend section 41-1605, R.C.M. 1947, by empowering the Commissioner of Labor and Industry in the discharge of his duties to investigate, administer oaths, compel attendance and examination of witnesses and records, take depositions and affidavits, and providing for reference of incidents of disobedience to the district court; and repealing section 3-1503, R.C.M. 1947." Referred to Committee on Labor and Compensation.

House Bill No. 294, introduced by Thompson, Schye: A bill for an act entitled: "An act relating to employment of children and amending section 10-201, R.C.M. 1947, to prohibit employment of children under eighteen years of age, except as apprentices, in certain occupations; amending section 10-202, R.C.M. 1947, to provide liability of parent or guardian permitting child under eighteen years of age to work in certain occupations; amending section 10-204, R.C.M. 1947, to provide for issuance of age certificate to child fourteen years of age; and repealing sections 10-207, 10-208, 10-209 and 10-210, R. C. M. 1947." Referred to Committee on Labor and Compensation.

House Bill No. 295, introduced by Adams, Mathers: A bill for an act entitled: "An act amending section 41-1201, R. C. M. 1947, to change the membership of the apprenticeship council and to provide that the council is a part of the Department of Labor and Industry." Referred to Committee on State Administration.

House Bill No. 296, introduced by Bardanouve, Weeks, Rosell, Shelden: A bill for an act entitled: "An act amending section 92-1401, Revised Codes of Montana, 1947, enacted as section 1, chapter 21, Laws of 1961, to apply to all employees covered by Workmen's Compensation; repealing section 92-1405, Revised Codes of Montana, 1947, enacted as section 6, chapter 21, Laws of 1961; and amending section 92-1406, Revised Codes of Montana, 1947, enacted as section 7, chapter 21, Laws of 1961, to provide for an Industrial Accident Rehabilitation Fund and to provide for mandatory payments to said fund by employers coming under plan No. 1 of the Workmen's Compensation Act, by plan No. 2 Insurance Carriers, and by the Industrial Insurance Fund of the State of Montana." Referred to Committee on Labor and Compensation.

House Bill No. 297, introduced by Aasheim, Broeder, Swanz, Twedt, Northey, Slaby: A bill for an act entitled: "An act creating the Montana State Safety Commission; providing for its powers and duties; and providing for an appropriation." Referred to Committee on Highways.

House Bill No. 298, introduced by Regan, Spahr: A bill for an act entitled: "An act to submit to the electors of the State of Montana an amendment to section 2, Article XIX of the Constitution of the State of Montana, to provide that the game of bingo is lawful when conducted by religious, charitable or fraternal corporations, and if approved by the electors of the county wherein the same is to be played." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 299, introduced by Seymour, Kvaalen: A bill for an act entitled: "An act to amend sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 300, introduced by Judge: A bill for an act entitled: "An act to amend section 3-1212, R.C.M. 1947, relating to the licensing of nurserymen and defining seasonal nurserymen, and requiring seasonal nurserymen to make application for a license not less than ninety (90) days in advance of doing business within the State of Montana each year; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 301, introduced by Kvaalen, Haughey, Spahr: A bill for an act entitled: "An act to amend section 75-3414 of the Revised Codes of Montana 1947, as amended, relating to transportation budgets; to provide that cash balances of a high school district transportation fund shall be used to reduce the district levy, unless no district levy will be required and that in those cases cash balance shall be used to reduce the county wide levy." Referred to Committee on Education.

House Bill No. 302, introduced by Lucas, Haines, McNamer: A bill for an act entitled: "An act to clarify the advisory functions and juris-

diction of city planning boards and city-county planning boards under provisions of title 11, chapter 38, R. C. M. 1947, by amending sections 11-3801, 11-3803, 11-3808, 11-3810, 11-3813, 11-3818, 11-3820, 11-3824, 11-3825, 11-3828, 11-3830, 11-3831, 11-3833, 11-3834, 11-3840, 11-3842, 11-3843, 11-3844, 11-3845, 11-3846, 11-3847, 11-3848, 11-3851 and 11-3855, R.C.M. 1947; by adopting a saving clause; and by repealing sections 11-3832, 11-3835, 11-3836, 11-3837, 11-3838, 11-3839, 11-3852, 11-3854, 11-3856, 11-3857 and 11-3858, R.C.M. 1947." Referred to Committee on Affairs of Cities.

House Bill No. 303, introduced by Seymour, Keller, Regan: A bill for an act entitled: "An act to amend section 32-2137, R.C.M. 1947, relating to traffic control signals." Referred to Committee on Highways.

House Bill No. 304, introduced by Wright, Asbjornson, Lund, Aasheim: A bill for an act entitled: "An act to amend section 75-4601, R.C.M. 1947, providing for the election of additional trustees to the boards of trustees of high school districts; providing for the establishment of trustee nominating districts; containing a repealing clause and providing an effective date." Referred to Committee on Education.

House Bill No. 305, introduced by Selstad, Rosell: A bill for an act entitled: "An act to amend section 31-134, R. C. M. 1947, to provide for an examination for an applicant for renewal of an operator's or chauffeur's license on a time interval basis." Referred to Committee on Highways.

House Bill No. 306, introduced by Selstad: A bill for an act entitled: "An act to amend section 37-103, R. C. M. 1947, to provide that any signature on an initiative or referendum petition must be identical in form to the signature of the elector on the registration books in order to be genuine." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 307, introduced by Harper (by request), O'Hair (by request): A bill for an act entitled: "An act appropriating the sum of \$76,243.20 to pay Francis R. Pulliam for injuries he received while on active duty as a first lieutenant with the Montana National Guard (and/or organized militia of Montana) on April 18, 1959, while in his official capacity in helping to quell the riot at Montana State Penitentiary in Deer Lodge, Montana, on said date. That injuries are as follows, to-wit: gunshot wound, left forearm, with loss of muscle substance in the flexor group. Severance of the median nerve with loss of light touch over the palm, thumb, and first two fingers, palmer aspect. Deforming scar, left forearm, secondary to gunshot wound. Gunshot wound, left hip, with resultant loss of cutaneous sensation over lateral aspect of hip and thigh, secondary to gunshot wound of hip. Providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 308, introduced by Gill, Welch, Wayrynen: A bill for an act entitled: "An act to prohibit the carrying of loaded rifles or shotguns in any motor vehicle; exceptions and penalty for the violation of the act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 309, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend rule 4, M.R.CIV.P., relating to persons subject to jurisdiction; process; service; repealing the following sections of the Revised Codes of Montana, 1947; sections 53-204; 93-3004; 93-3009; 93-3010; 93-3019; 93-6206; 93-6207; and 93-6208 and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 310, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend sections 81, 82 and 83 of chapter 13, Session Laws of Montana for 1961, by striking from section 81, table A, the language "quiet title (including actions to establish title to property granted to heirs of deceased entrymen) — sections 93-6201 to 93-6239,"

and substituting therefor the language "actions to establish title to property granted to heirs of deceased's entrymen — sections 93-6225 to 93-6239"; to amend section 82, chapter 13, Session Laws of 1961 by adding to table B in the list of statutes superseded by rule 4 to following sections: 53-204, 93-3004; 93-3009; 93-3010; 93-3019; 93-6206; 93-6207 and 93-6208; by amending section 83 of chapter 13 of the Session Laws of 1961, table C, by adding to the list of statutes superseded by the rules sections 53-204, rule 4; 93-3004, rule 4; 93-3009, rule 4; 93-3010, rule 4; 93-3019, rule 4; 93-6206, rule 4; 93-6207, rule 4; 93-6208, rule 4." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 66 be moved to the bottom of the calendar.

That Senate Bill No. 1 be concurred in.

That House Bill No. 147 do pass.

That House Bill No. 148 do pass.

That House Bill No. 149 do pass.

That consideration of House Bill No. 150 be passed for the day.

That consideration of Substitute House Bill No. 18 be passed for the day.

DYKSTRA, Chairman

Report adopted.

Motion was made by Blewett that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 26, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 52 and House Bills Nos. 111 and 125, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 26, 1963

Mr. Speaker: We, your Committee on Rules, having had under consideration motion to adopt House Resolution No. 1 pertaining to amendment of Senate and House Joint Resolution No. 20, recommend that said motion be

adopted, and that Joint Senate and House Resolution No. 20 be amended in accordance with House Resolution No. 1.

BLEWETT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 be amended as follows:

In line 29, page 1 of the original bill following the word "approval" by deleting the "." and inserting in lieu thereof the following: "; provided further that he shall not issue such proclamation until there has been first obtained the consent of the Board of County Commissioners of each county which encompasses any portion of the reservation of such tribe or tribes.

And be further amended, in line 25, page 2 of the original bill following the word "culture." by adding: "Section 6. Any Indian tribe, community band or group of Indians that may consent to come within the provisions of this act may, within two (2) years from the date of the governor's proclamation, withdraw their consent to be subject to the criminal and/or civil jurisdiction of the State of Montana, by appropriate resolution, and within sixty days after receipt of such resolution the governor shall issue a proclamation to that effect."

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do pass.

PIERCE, CHAIRMAN

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

PIERCE, CHAIRMAN

Report adopted.

MESSAGES FROM THE SENATE

January 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 47 introduced by Leuthold, Jensen, Turnage and Adams

House Bill No. 50 introduced by Leuthold, Jensen, Turnage

House Bill No. 62 introduced by Business and Industry Committee

House Bill No. 74 introduced by Leuthold

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House.

House Bill No. 44 introduced by Aasheim, Eskildsen, Gill, Stranahan, Raundal, Kvaalen

House Bill No. 82 introduced by Rehberg, Rosell, Leuthold, Lucas, Woodard.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Resolution No. 2, introduced by Murray, Bradford: A resolution by the House of Representatives of the State of Montana requesting the Governor to appoint a committee to study the Montana Business Corporation Code and to develop ways and means whereby a model Business Corporation Law can be drafted. Referred to Committee on Business and Industry.

House Joint Resolution No. 8, introduced by Watt, Haines, Thompson, Good, Lombardi, Davis, Gill, Northey, Deschamps, Murray: A joint resolution of the Senate and House of Representatives requesting the Governor to appoint a committee to study and report on the advisability of establishing summer camps for teenage youths in state forests and state parks. Referred to Committee on State Administration.

House Joint Resolution No. 9, introduced by Murray: A joint resolution of the Senate and House of Representatives requesting the legislative council to conduct a comprehensive study of the statutes and practices of requiring fidelity bonds for public officials in Montana and report the findings of that study together with recommendations for improvements to the Thirty-ninth Legislative Assembly. Referred to Committee on State Administration.

House Bill No. 311, introduced by Nichols, Haines, Hawks: A bill for an act entitled: "An act amending section 25-501.1, R. C. M. 1947, to require elected state officials to devote all of their time to their official duties." Referred to Committee on State Administration.

House Bill No. 312, introduced by Schye, Spilde: A bill for an act entitled: "An act to amend section 4-341 of the R. C. M. of 1947, relating to fees for beer licenses, by providing a license fee for brewers wherever located whose product is sold or offered for sale within the state; and repealing all acts and part of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 313, introduced by Judge, Goan: A bill for an act entitled: "An act to amend section 84-1812, R.C.M. 1947, relating to distribution and use of proceeds of gasoline license tax by providing that one per centum (1%) of all receipts shall be deposited and credited to the state park fund, and the balance shall be deposited and credited, seventy-five per centum (75%) to state highway fund and twenty-five per centum (25%) to the gasoline license drawback fund, and providing that the one per centum (1%) deposited and credited to the state park fund be used for creation, improvement, and maintenance of state parks which are used for motor boating." Referred to Committee on Ways and Means.

House Bill No. 314, introduced by Judge, Goan: A bill for an act entitled: "An act to amend section 84-1818, R.C.M. 1947, to remove gasoline used in motor boats from entitlement to refund of gasoline license tax." Referred to Committee on Ways and Means.

House Bill No. 315, introduced by Haines, Weeks, Good: A bill for an act entitled: "An act relating to professions and occupations, defining terms, providing for regulation and supervision of dispensing opticians by the State Board of Medical Examiners, prescribing powers and duties, and providing for licensing, fees, regulations, hearing and appeal, and other procedures." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 316, introduced by Reinecke, Leuthold: A bill for an act entitled: "An act amending section 84-1813, R.C.M. 1947, relating to the tax on diesel fuel and other specified motor fuels; specifying and expanding the uses, situations and conditions to which the tax shall apply when used in motor vehicles, motorized equipment and engines, and providing for the method of collection." Referred to Committee on Ways and Means.

House Bill No. 317, introduced by Wright, Eskildsen: A bill for an act entitled: "An act amending sections 3-103, 41-1603, 78-101, 81-209, 81-1403, 81-2011, 82-1011, 84-702, and 92-104, R. C. M. 1947, to increase salaries of elected and appointed officials." Referred to Committee on State Administration.

House Bill No. 318, introduced by Selstad: A bill for an act entitled: "An act to amend section 11-1919, R.C.M. 1947, relating to the manner in which the State Auditor of the State of Montana shall pay to the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the premium taxes collected from insurers authorized to do business in the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 319, introduced by Wayrynen, Hazelbaker: A bill for an act entitled: "An act to amend section 26-320 Revised Codes of Montana 1947, to require the State Fish and Game Commission to place all of the State of Montana in the Pacific Flyway for the hunting of migratory game birds, unless the United States Department of Interior specifically orders otherwise; and repealing all acts in conflict with this act." Referred to Committee on Fish and Game.

House Bill No. 320, introduced by Wright, Stranahan, Aasheim, Etchart: A bill for an act entitled: "An act to provide for additional salary for county superintendents of schools to be paid from state funds; amending sections 25-601, 25-605 and 25-609; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 321, introduced by Osburnsen, Holtz, Wayrynen, Raundal, Cummings, Deschamps, Murray: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas for the construction of cable lines, oil lines, pipe lines, roadways not otherwise specifically provided for, and other types of construction." Referred to Committee on Agriculture and Irrigation.

House Bill No. 322, introduced by Hawks, Judge: A bill for an act entitled: "An act continuing the Montana Territorial Centennial Commission as a temporary agency of state government; prescribing the powers of the commission and appropriating moneys for the operation of the commission." Referred to Committee on Appropriations.

House Bill No. 323, introduced by Pierce, Haughey, Beam, Rehberg, McNamer, Woodard, Goan, Rosell, Crum: A bill for an act entitled: "An act establishing the Montana Advertising Council; providing for the appointment of persons in the advertising and public relations fields as members for specified terms; providing that the council shall assist

the State Advertising Department in advertising the state and its attractions; shall consult with and assist local and regional groups and bodies in the advertisement and promotion of local and state events and attractions; and shall endeavor to develop a coordinated tourist promotion program; and providing that the members shall serve without compensation." Referred to Committee on State Administration.

House Bill No. 324, introduced by Leuthold, Stranahan, Deschamps, Hazelbaker: A bill for an act entitled: "An act to amend section 89-2932, R. C. M. 1947, enacted as section 22, Chapter 237, Laws of 1961, pertaining to the appointment of ground water commissioners; providing for their authority in supervising the withdrawal of ground water and the carrying out of orders issued by the administrator; providing for the supervision of the use of ground waters within the boundaries of the state of Montana and particularly within designated control areas within said state by water commissioners appointed by the judge of the district court of the judicial district of the state of Montana within which such designated controlled area is situated; providing for the appointment by judges of the district court of the judicial district in which said controlled areas are situated of water commissioners to administer the withdrawal of ground waters within said areas; making the provisions of sections 89-1002 through 89-1024, R.C.M. 1947, applicable to the administration of this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 325, introduced by Holtz, Haines, Spahr: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by Chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations, of amounts paid or credited to members as dividends on their withdrawable accounts, if such amounts paid or credited are withdrawable upon notice of intention to withdraw; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 326, introduced by Hibbard, Etchart, Asbjornson: A bill for an act entitled: "An act to amend section 59-801 and section 59-802, R.C.M. 1947, relating to mileage of public officers and providing mileage payments at the rate of twelve cents (\$.12) per air mile for legislators and other state employees when flying an airplane on official business." Referred to Committee on State Administration.

House Bill No. 327, introduced by Committee on Agriculture and Irrigation: A bill for an act entitled: "An act to amend section 75-2212, R.C.M 1947, by changing the date of Arbor Day, and providing an effective date." Referred to Committee on Agriculture and Irrigation.

House Bill No. 328, introduced by McNamer, Pierce, Beam, Rosell, Woodard, Rehberg, Goan, Crum, Haughey: A bill for an act entitled: "An act to amend section 11-966, R.C.M. 1947, to provide that a city or town council has power to contract an indebtedness on behalf of a city or town for building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water." Referred to Committee on Affairs of Cities.

House Bill No. 329, introduced by Harper, O'Hair, Lombardi, Tracy, Twedt, Cummings: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by person, corporations, partnership, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment of

the state board of equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the state board of equalization, and penalties for neglect or failure to comply with the provisions of this act." Referred to Committee on Ways and Means.

House Bill No. 330, introduced by Haines, Deschamps, Northey: A bill for an act entitled: "An act to amend sections 69-2401 and 69-2404, R.C.M. 1947, providing for defining a boarding home or nursing home for aged persons to be a home where one or more aged persons are residing and boarding or receiving nursing care including governmental units; defining person, governmental unit and the operator of a boarding home or nursing home; and extending inspections from ninety days to six months; repealing all acts or parts of acts in conflict herewith; and establishing the effective date of this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 331, introduced by Bradford, Harper, Tracy, Twedt, Lombardi, Schepens, Brenner, Laas, Eskildsen, Wayrynen, Lewis, Shelden, O'Hair, Slaby: A bill for an act entitled: "An act to amend section 84-4902, R.C.M. 1947, as amended by section 1, Chapter 265, of the Montana Session Laws of 1959; relating to rate of income tax; to provide for a change in rates; containing a repealing clause; providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 332, introduced by McNamer, Pierce, Beam, Rosell, Woodard, Rehberg, Goan, Crum, Haughey: A bill for an act entitled: "An act to amend section 16-2008, R.C.M. 1947, to provide that the board of county commissioners of every county of the state shall be vested with the power and authority to issue, negotiate and sell coupon bonds on the credit of the county for the purpose of building, purchasing, constructing and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water." Referred to committee on Townships and Counties.

House Bill No. 333, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to authorize the state of Montana to become indebted for the sum of five million dollars (\$5,000,000), in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the state of Montana is now obligated, for the reconstruction, modernization, enlargement, improvement, remodeling, repair and equipment of the state capitol building of the state of Montana at Helena, Montana; providing for the issuance of bonds in the name of the state of Montana as evidence of such indebtedness and for the sale thereof; prescribing the form of such bonds and providing for a levy of an annual tax in excess of the amount prescribed by the constitution for state purposes sufficient to pay the principal thereof and the interest accruing thereon; providing for a referendum of this act; describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state; and providing when this act shall take effect." Referred to Committee on Ways and Means.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, Your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 56 do pass.

That House Bill No. 54 do pass.

That House Bill No. 106 do pass.

That House Bill No. 86 be amended as follows:

Amend Section 2 by adding in line 31, page 6 of the original bill, which is line 59, page 7, of the printed bill, by adding the word "dollars" following the word "twenty-five" and before the figures (\$25)

And further amend Section 3, in line 22, page 8, of the original bill, which is lines 21 and 22, page 9, of the printed bill, by striking the words "Be it enacted by the Legislative Assembly of the State of Montana."

And as amended, do pass.

That House Bill No. 164 do pass.

That House Bill No. 49 do pass.

DYKSTRA, Chairman

Dykstra moved adoption of the Committee of the Whole report. Substitute motion was made by Beam that House Bill No. 106 be segregated from the committee report. Substitute motion carried. Report adopted as amended.

January 26, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 187, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Dykstra that House Bills Nos. 268 and 269 be taken from the Committee on Business and Industry and rereferred to the Committee on Ways and Means. Motion carried.

Motion was made by Beam that House Bill No. 106 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Bardanouve that the Committee on Rules consider revision of rules in regard to the reading of bills. The Speaker referred the motion to the Committee on Rules and Journal.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 10, introduced by Haughey, Dykstra, Nichols, Hibbard, Blewett, Regan, Wayrynen, Etchart, Wright, Seymour, Bashor, Eskildsen, Judge, Hazelbaker, Rosell, Murray, Lundgren, Raundal: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the president of the United States; to the Honorable Robert McNamara, Secretary of Defense of the United States and to the Honorable Fred Korth, Secretary of the Navy of the United States requesting that the Silver Service which is now on the U.S.S.

Helena, which Silver Service was originally given by the people of the state of Montana to the United States Navy for the United States heavy cruiser Montana and thereafter to the U.S.S. Helena, be returned to Montana and placed in the Historical Museum until such time as the Navy has a new ship representing Montana on which such silver service may be used. Referred to Committee on State Administration.

House Joint Memorial No. 11, introduced by Nichols, Hawks, Selstad, Hibbard, Mathers, Stranahan: A Joint Memorial of the Senate and House of Representatives of the State of Montana requesting that no restrictions be placed on the production of corn for silage, or the production of barley and oats in Montana. Referred to Committee on Agriculture and Irrigation.

House Joint Memorial No. 12, introduced by Hawks, Keller, Hazelbaker, Blewett, Wayrynen, Stranahan, Weeks, Rosell, Spahr, Regan: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Honorable Congress of the United States, to the President of the United States; to the Honorable Douglas Dillon, Secretary of the Treasury of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana requesting legislation authorizing the department of the treasury of the United States to design and mint and distribute through the State Treasurer of the State of Montana five hundred thousand (500,000) silver dollars in commemoration of the Montana Territorial Centennial and Thanksgiving centennial. Referred to Committee on State Administration.

House Joint Memorial No. 13, introduced by Garrison, Hazelbaker, Boughton, Hawks: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation, disapproving and opposing further land acquisitions by the United States and its agencies within the State of Montana, and urging and requesting a re-examination of the Laws and policies and practices or payments in lieu of taxes by the United States and its agencies to the states and their political sub-divisions. Referred to Committee on Ways and Means.

House Bill No. 334, introduced by Keller, Holtz: A bill for an act entitled: "An act to amend section 37-109, R.C.M. 1947, to provide that those who sign petitions for the initiative and referendum must sign the petition in the same form as their name appears on the list of qualified voters." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 335, introduced by Bardanouve, Haines, Kvaalen: A bill for an act entitled: "An act to provide for the financing of soil conservation districts by the levy of assessments; providing the procedure therefor; providing an effective date." Referred to Committee on Agriculture and Irrigation.

House Bill No. 336, introduced by Goan, Northey, Dykstra, Turnage: A bill for an act entitled: "An act providing for the method of establishment of original schedules of railroad rates and classifications; providing for the method of giving notice thereof; providing for the method of changing or revising any railroad rate, fare, charge, classification, schedule, or rule of service; providing the procedures to be followed in filing and investigating complaints against railroad rates, fares, charges, or classifications; providing for discretionary suspension of railroad rates, fares, charges, classifications, schedules, or rules of service under certain circumstances; providing that railroads affected by the provisions of this act shall display its rates and classifications and providing a penalty for non-compliance; and repealing sections 72-117, and 72-118, Revised Codes of Montana, 1947." Referred to Committee on Business and Industry.

House Bill No. 337, introduced by Jensen, Turnage, Lundgren: A bill

for an act entitled: "An act authorizing the creation of a rural improvement district including areas in more than one county; providing the procedure of administration therefor; providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 338, introduced by Bashor, Regan: A bill for an act entitled: "An act defining 'subdivision' and 'subdivided lands'; providing for the regulation, supervision and control of subdivisions by the State Real Estate Commissioner and defining his duties and powers relative thereto; and providing a penalty for the violation of this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 339, introduced by Crum, Leuthold: A bill for an act entitled: "An act to amend section 75-1630, R.C.M. 1947, relating to elementary school attendance outside the district of residence; providing for authorization of such attendance; providing for payment of tuition; and fixing an effective date." Referred to Committee on Education.

House Bill No. 340, introduced by Bashor, Beam: A bill for an act entitled: "An act to amend section 84-6204, Revised Codes of Montana, 1947, relating to the deduction of drilling costs and capital expenditures in computing the net proceeds tax on gas or petroleum production; providing for the deduction of expenditures of drilling dry holes and prorating said expenditures among producing wells; and providing for the repeal of certain provisions relating to deductions for the year 1953." Referred to Committee on Business and Industry.

House Bill No. 341, introduced by Pierce (by request): A bill for an act entitled: "An act to hasten the development and adoption of uniform standards for new or improved automotive safety equipment and to be known as the 'vehicle equipment safety compact'; setting forth the basic purposes of compact; defining certain terms used in act; creating commission to administer compact and prescribing powers and duties of such commission; authorizing commission to conduct research and testing activities; requiring study, report and hearing by commission prior to adoption of vehicle equipment changes; providing for method of financing commission budget; adopting rules and regulations concerning conflicting interests of party states; establishing advisory and technical committees; providing for entry and withdrawal from compact; providing for construction and severability of act; providing that if any part of act held unconstitutional it shall not affect remaining parts of act; providing that adoption of compact will not nullify existing statutes without legislative approval; providing for appointment of state commissioner by governor; providing employee benefits; requiring filing of documents; establishing procedure for submitting budget; repealing all acts or parts of acts in conflict herewith; defining the term 'executive head'." Referred to Committee on Highways.

House Bill No. 342, introduced by Blewett, Selstad, Holtz, Seymour, Keller: A bill for an act entitled: "An act amending section 23-605, R.C.M. 1947, by increasing the maximum hourly rate for election officers from one dollar (\$1.00) to one dollar twenty-five cents (\$1.25) per hour." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 343, introduced by Keller, Bashor, Schye: A bill for an act entitled: "An act to amend section 84-301, Revised Codes of Montana, 1947, relating to the classification of property for taxation; and providing for change in classification of the net proceeds from oil and gas wells from class one, or 100 per cent of its true and full value, to class four, or thirty per cent of its true and full value." Referred to Committee on Ways and Means.

House Bill No. 344, introduced by Keller, Bashor, Schye: A bill for an act entitled: "An act to amend section 84-2202, Revised Codes of Montana, 1947, relating to the oil producer's license tax; and providing for an increase in the rate of tax from two and one-half percent to three and three-quarters percent on production in excess of 450 barrels of oil per

calendar quarter from each producing well." Referred to Committee on Ways and Means.

House Bill No. 345, introduced by Regan, Blewett, Holtz, Selstad: A bill for an act entitled: "An act amending section 23-1309, R.C.M. 1947, by providing that absentee ballots received by the clerk after twelve o'clock noon on the day next preceding an election shall be rejected." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 346, introduced by Beck, Pierce: A bill for an act entitled: "An act relating to and regulating private cemeteries; the establishment of private cemeteries and the perpetual care and maintenance trust funds thereof; exempting certain cemeteries; to define terms used herein; to establish a state cemetery board and to vest the administration and enforcement of this act therein; licensing and certificate of authority; to prescribe the powers, duties, authority, jurisdiction and compensation of said state cemetery board with respect to this act; to authorize the adoption and promulgation of rules, regulations relating to the investment and reinvestment of the perpetual care and maintenance trust funds; deposit of trust funds limited to any bank or trust company qualified under the laws of this state; special care funds and their use and application; inspection and examination by cemetery board of the financial condition and investments of trust funds; trust reports by state board to state examiner; covenant to care for cemetery; authority of cemetery to make, adopt and enforce rules and regulations for the conduct and operation of its business; additional legal remedies permitting enforcement of act by cemetery board; general penalties of violations; exemption from taxation and execution; severability and constitutionality." Referred to Committee on Business and Industry.

House Bill No. 347, introduced by Blewett, Holtz, Keller, Seymour, Regan, Spahr, Reardon: A bill for an act entitled: "An act to amend section 71-302 of the Revised Codes of Montana of 1947, relating to eligibility requirements for general relief; establishing the rules for changes in residence from one county to another; setting forth the responsibility of the two counties; and prohibiting general assistance to persons entitled to unemployment compensation benefits under certain circumstances." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 348, introduced by Zimmer, Rosell, Turnage, Slaby, Casey, Harper: A bill for an act entitled: "An act to amend sections 23-1301 and 23-1312, R.C.M. 1947, relating to voting by elector when absent from place of residence or physically incapacitated from going to polls; voting before election day by prospective absentee or physically incapacitated elector, by providing that same should apply to school elections." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 349, introduced by Tracy: A bill for an act entitled: "An act to amend section 11-1912, R.C.M. 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same; providing for an increase thereof; and providing a maximum levy for such provisions by cities in the third class." Referred to Committee on Affairs of Cities.

House Bill No. 350, introduced by Harper, Bradford, Wayrynen, Eskildsen, O'Hair: A bill for an act entitled: "An act providing for the payment of an honorarium, or adjusted compensation, to the residents of Montana who served in the armed forces of the United States in World War I; providing for the issuance and sale of \$8,000,000.00 of limited obligations of the state of Montana for the payment of such honorarium, or adjusted compensation; provided that such bonds should never become a general obligation of the state but shall be payable only out of a cigarette excise tax herein provided for; amending sections 84-5606 and 84-5621 of the Revised Codes of Montana, 1947; providing penalties and

making other provisions for the administration of this law." Referred to Committee on Public Health, Welfare and Safety.

House Joint Memorial No. 14, introduced by Flynn, Eskildsen, Twedt, Lombardi, Good, Turnage: A Joint Memorial of the Senate and House of Representatives requesting changes in federal law to protect the public against experimentation upon human beings without disclosure and permission. Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 351, introduced by Healy, Mathers, Crum, Bardanouve, Laas, Regan, Johnson: A bill for an act entitled: "An act to provide for the inclusion of the Eastern (Greek) Orthodox Church as a major faith where the names of other major faiths are used; and containing a repealing clause; and containing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 352, introduced by Slaby, Lucas: A bill for an act entitled: "An act to transfer certain moneys to qualifying police officers' reserve funds; requiring the trustees of the police officers' reserve fund to submit an annual report of the condition of the respective funds; providing for the trustees to submit an annual request with the annual report; and, appropriating the premium tax collected on automobile physical damage, collision and comprehensive premiums as the source of the funds; providing for an effective date and repealing all acts and parts of act in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 353, introduced by Thompson, Keller, Smiley: A bill for an act entitled: "An act to amend sections 75-4801 to and including 75-4808, R.C.M. 1947, to include state controller; providing an effective date and repealing clause." Referred to Committee on Education.

House Joint Memorial No. 15, introduced by Boughton, Garrison, Smith, Lucas, Stranahan, Bailey, Etchart, Eskildsen, Bardanouve: A Joint Memorial to the Congress and Executive Branch of the Federal Government requesting that a public hearing be held in the area affected before any final decision is made to establish dams, wilderness areas, or parks. Referred to Committee on Fish and Game.

House Bill No. 354, introduced by Lombardi, Tracy, Johnson, Slaby, A bill for an act entitled: "An act to amend sections 87-103, 87-104, and 87-105, Revised Codes of Montana, 1947, relating to unemployment compensation benefits; restoring benefit formula, increasing maximum potential benefit and maximum potential duration; and restoring benefit eligibility conditions; repealing conflicting acts; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 355, introduced by Hawks: A bill for an act entitled: "An act relating to group life and health insurance for state officers and employees; creating a state employees insurance board; prescribing its powers and duties and providing for payroll deductions." Referred to Committee on State Administration.

House Bill No. 356, introduced by Bardanouve: A bill for an act entitled: "An act amending section 69-105, R.C.M. 1947, to require a quarterly inspection of public institutions by the board of health and requiring a detailed report of such inspections to be made to the Legislative Assembly." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 357, introduced by Lombardi, Tracy, Johnson, Slaby: A bill for an act entitled: "An act relating to contributions under the unemployment compensation law; providing average 1.8 yield; providing maximum contribution rate, repealing voluntary contributions; providing penalty for delinquency; increasing taxable wage; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 358, introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act amending sections 80-816 and 80-920, R.C.M. 1947, to increase fees paid by counties for the state industrial school and the state vocational school for girls; and depositing proceeds under section 80-816, R.C.M. 1947, in the industrial school building fee fund." Referred to Committee on State Administration.

House Bill No. 359, introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act providing for the construction of a physical education building at the state industrial school, allowing the borrowing of money or issuance of bonds for such purpose and providing for repayment of the same." Referred to Committee on State Administration.

House Bill No. 360, introduced by Goan, Thompson, Mathers: A bill for an act entitled: "An act amending section 79-1202, R.C.M. 1947, to allow the state board of land commissioners to invest in bonds issued for construction of a physical education building at the state industrial school." Referred to Committee on State Administration.

House Bill No. 361, introduced by Schye, Laas, Falkenstern, Goan, Stranahan: A bill for an act entitled: "An act prohibiting officers, agencies and departments of the state of Montana and of its political subdivisions from entering into collective bargaining contracts with labor unions or other employee associations, or to delegate any authority to such, or to require membership in such as a condition or term of employment, prohibiting strikes by governmental employees and providing for forfeiture of office or employment for violations." Referred to Committee on Labor and Compensation.

House Bill No. 362, introduced by Schye, Bashor, Laas, Asbjornson, Hemstad: A bill for an act entitled: "An act to restrict and regulate the colonization of agricultural lands by persons having no individual or personal ownership or rights of ownership in such lands, but constituting a society in which each member shares in the distribution of profits or benefits of the colony according to his needs, or in equal measure with his fellow members, or otherwise, in accordance with some concept of communal property; to provide for dividing the state into zones, classified as to the suitability of soil, climate and natural resources, for agricultural uses; to limit the size within each zone of the agricultural areas which may be used for the creation of maintenance of communal colonies; to regulate the spacing of colonies in relation to each other and in relation to urban and industrial communities; to create an administrative authority to be known as the communal property control board to administer this act; to prescribe procedures by which applications for leave to establish colonial societies may be made, and by which such applications may be heard and passed upon by the communal property control board; to provide for hearings to be had upon all such applications and for right of appeal from determinations of the board by persons aggrieved thereby; to authorize the board to compel attendance of witnesses at hearings, and production of books and papers; to provide for enforcement of this act by punishment of violation of the provisions thereof or disobedience to the lawful orders of the board; to provide for compensation to be paid to the members of the board and its employees, and for payment of expenses incurred by members of the board and its employees in the performance of their duties hereunder." Referred to Committee on Agriculture and Irrigation.

House Bill No. 363, introduced by Beck: A bill for an act entitled: "An act amending section 86-701, R.C.M. 1947, relating to contracts for prearranged provision for funeral services, burial, or cremation." Referred to Committee on Judiciary.

House Bill No. 364, introduced by Rehberg, Woodard, Kvaalen: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by Chapter 190, Laws of the Thirty-First Legislative Assembly of Montana, 1949, and by Chapter 229, Laws of

the Thirty-Second Legislative Assembly of Montana, 1951, and by Chapter 284, Laws of the Thirty-Sixth Legislative Assembly of Montana, 1959, relating to rental rates of state grazing lands upon the animal-unit-month basis, to modify the formula for computing the minimum rate, to provide for a graduated increase in such rental rates based upon carrying capacities of such lands, repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

House Bill No. 365, introduced by Watt, Davis, Welch: A bill for an act entitled: "An act to amend section 25-605, R.C.M. 1947, to provide for an increase in the salaries of the county superintendents of schools." Referred to Committee on Townships and Counties.

House Bill No. 366, introduced by Cummings, Welch, Schepens: A bill for an act entitled: "An act to amend Initiative Measure No. 54 adopted by the vote of the legal electors of the State of Montana at the regular general election held in the State of Montana on November 7, 1950, as amended by Chapter 44, Session Laws of 1957, relating to section 10 thereof, by providing a new date for the submission of applications for payment of the Korean War Honorarium to be January 1, 1964; repealing all acts and parts of acts in conflict herewith; providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 367, introduced by Haughey, McNamer, Watt, Hazelbaker: A bill for an act entitled: "An act amending section 44-213, Revised Codes of Montana, 1947, to allow city and county governments to contract with the state board of education of Montana to establish joint or regional libraries; and providing an effective date." Referred to Committee on Education.

House Bill No. 368, introduced by Schye, Good: A bill for an act entitled: "An act amending sections 69-1509 and 69-1604, R.C.M. 1947, relating to experience qualifications for licensing steam and hoisting engineers; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 369, introduced by Crum: A bill for an act entitled: "An act to amend section 4-172, R.C.M. 1947, enacted as Chapter 200, Laws of 1959, relating to bottle clubs and containing definitions; and providing for an effective date and repealing clause." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 370, introduced by Adams, Swanz, Tooke: A bill for an act entitled: "An act to amend section 11-1925, Revised Codes of Montana, 1947, relating to pensions for retired firemen by increasing the length of active duty required for eligibility for pension from twenty (20) to thirty (30) years." Referred to Committee on Affairs of Cities.

House Bill No. 371, introduced by Bardanoue: A bill for an act entitled: "An act relating the licensing and bonding of transient retail merchants; amending sections 84-3701 and 84-3704, R.C.M. 1947, to change the definitions of 'transient retail merchants' and to require that persons soliciting magazine or book subscriptions be licensed and bonded as transient retail merchants." Referred to Committee on Business and Industry.

House Bill No. 372, introduced by Bardanoue: A bill for an act entitled: "An act amending section 43-709, R.C.M. 1947, to provide that members of the Legislative Council shall be appointed by the caucuses of the two (2) major political parties of each house of the Legislative Assembly." Referred to Committee on State Administration.

House Bill No. 373, introduced by Schye, Laas: A bill for an act entitled: "An act to amend section 32-1608, R.C.M. 1947, relating to contracts for work on state highways by the State Highway Commission;

providing that each prospective bidder must submit and attach to his bid proposal a duly executed copy of each and every sub-contract entered into in connection with the work to be performed." Referred to Committee on Highways.

House Bill No. 374, introduced by Laas, Schye: A bill for an act entitled: "An act to amend section 16-1803, R.C.M. 1947, relating to the request for bids on the letting of contracts by the board of County Commissioners; providing that each prospective bidder must submit and attach to his bid proposal a copy of any sub-contract entered into in connection with said bid. Referred to Committee on Townships and Counties.

House Bill No. 375, introduced by Schye, Laas: A bill for an act entitled: "An act to amend section 11-1202, R.C.M. 1947, relating to awarding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dollars (\$1,000.00); providing that each prospective bidder must submit and attach to his bid proposal a copy of any sub-contract entered into in connection with said bid." Referred to Committee on Affairs of Cities.

House Bill No. 376, introduced by Wayrynen, Lombardi, Good, Healy, Tracy: A bill for an act entitled: "An act to establish method for determining the rates to be paid by the State Board of Public Welfare for hospital care." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 377, introduced by Wayrynen, Healy, Good, Lombardi, Tracy: A bill for an act entitled: "An act providing that metalliferous mines license tax collections attributable to mining operations in any county in excess of \$500,000 in any year shall be transmitted by the state treasurer to the county treasurer of such county to be credited to the county poor fund; amending section 84-2002, R.C.M. 1947; containing a repealing clause, and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 378, introduced by Wayrynen, Lombardi, Good, Healy, Tracy, Bradford: A bill for an act entitled: "An act pertaining to the disbursement of profits by the Montana Liquor Control Board; providing an effective date and repealing clause." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 379, introduced by Aasheim: A bill for an act entitled: "An act relating to the regulation of the issue, sale, gift or other disposition, or use of trading stamps, as herein defined, for or with the sale or tangible personal property or services; providing for the escheat to the state of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this act; and providing remedies for the enforcement of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Joint Resolution No. 10, introduced by Pierce Goan: A Joint Resolution of the Senate and House of Representatives requesting that Montana landowners and lessees when posting private property to prohibit hunting, place the name of the owner or lessee upon the notice of posting. Referred to Committee on Fish and Game.

House Joint Resolution No. 11, introduced by Tracy, Healy, Good, Lombardi, O'Hair, Shelden, Davis, Johnson, Wayrynen, Slaby, Judge, Flynn, Harper: A Joint Resolution by the Senate and House of Representatives of the State of Montana endorsing the president's program of tax relief and urging support thereof by the Montana Congressional Delegation. Referred to Committee on Ways and Means.

House Bill No. 380, introduced by Johnson, Turnage, Davis, Bradford, Reardon: A bill for an act entitled: "An act to amend section 16-2417, R.C.M. 1947, relating to county officers absent from the state and con-

taining an effective date." Referred to Committee on Townships and Counties.

House Bill No. 381, introduced by Eskildsen, Wayrynen: A bill for an act entitled: "An act to provide that any beer sold to the public by a wholesaler or retailer, for consumption off the premises of such wholesaler or retailer, shall be packaged in non-breakable containers." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 382, introduced by Bradford, Eskildsen: A bill for an act entitled: "An act to amend section 23-1106, R.C.M. 1947, relating to names and party of candidates to be printed on ballot; section 23-2003, R.C.M. 1947, relating to the form of petition for nomination; section 23-2004, R.C.M. 1947, relating to register of candidates for nomination; section 23-2005, R.C.M. 1947, relating to the arrangement and certification of judicial candidates; section 23-2006, R.C.M. 1947, relating to primary ballots; section 23-2007, R.C.M. 1947, relating to judicial primary ballots; repealing section 23-2012, R.C.M. 1947; and to provide that district and supreme court judges shall be nominated and elected under political party designation." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 383, introduced by Shelden, Jensen, Turnage, Zimmer, Osburnsen, Gill, Laas: A bill for an act entitled: "An act to provide monies for the rebuilding and repair of existing roadside parks and for the establishing and equipping of new roadside parks within areas of the state of Montana which have been designated as areas of high rate of unemployment or under-employment and providing that all monies expended shall be matched by accelerated public works funds available for such purposes within the designated areas." Referred to Committee on Appropriations.

House Bill No. 384, introduced by Keller: A bill for an act entitled: "An act to amend section 66-1315, R.C.M. 1947, to specify procedures to be followed when prosecuting a violation of the act regulating the practice of optometry." Referred to Committee on Judiciary.

House Bill No. 385, introduced by Dykstra, Haughey: A bill for an act entitled: "An act to amend section 82-1008, Revised Codes of Montana, 1947, to provide that the state examiner shall have the authority and it shall be his duty to audit the books and accounts of fire districts in unincorporated territories, towns and villages; providing for the payment of such audit and providing that such audit shall be filed with the county clerk and recorder." Referred to Committee on Townships and Counties.

House Bill No. 386, introduced by McNamer, Turnage: A bill for an act entitled: "An act to amend section 93-701-4, R.C.M. 1947, pertaining to the examination of licensed physician or surgeon in civil actions." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 387, introduced by Keller, Swanz: A bill for an act entitled: "An act to amend section 66-1316, R.C.M. 1947, as last amended by section 6, Chapter 252, Laws of 1959, relating to the practice of the profession of Optometry." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 388, introduced by Keller, Swanz: A bill for an act entitled: "An act amending section 66-1316, R.C.M. 1947, to delete the provision that the act regulating the practice of Optometry does not apply to Opticians." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 389, introduced by Goan, East: A bill for an act entitled: "An act to amend section 84-1818, Revised Codes of Montana, 1947, relating to the refund of gasoline taxes for other than highway use; and providing that when payment has not been received by seller

on gasoline delivered to a user upon which a refund is claimed that payment of the refund shall be made jointly to the seller and the purchaser." Referred to Committee on Ways and Means.

House Bill No. 390, introduced by McNamer: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded." Referred to Committee on Judiciary.

House Bill No. 391, introduced by Haughey: A bill for an act entitled: "An act amending sections 4-330, 4-337, 4-345, 4-413, 94-35-106 and 94-35-106.2 to provide that persons eighteen years of age or older may purchase possess, and consume beer of not more than four percent alcohol content by weight." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 392, introduced by Murray, Schye: A bill for an act entitled: "An act to amend section 45-1003, R.C.M. 1947, relating to laborers' and materialmen's liens on oil and gas wells, lease-holds and pipelines, to provide the same shall arise, be perfected, and have the same priority as materialmen's and mechanics' liens; and repealing sections 45-1004, 45-1005 and 45-1006, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 393, introduced by Woodard (by request): A bill for an act entitled: "An act pertaining to the State Milk Control Board; defining the powers of the State Milk Control Board to fix distributor and dealer milk prices; and amending sections 27-401, 27-402, 27-403, 27-405, 27-406, 27-407, 27-414, 27-416, 27-418, and 27-428, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 394, introduced by Judge (by request): A bill for an act entitled: "An act to provide funds for incorporated cities and towns to be used for snow removal; providing for a license fee on all motor vehicles using the highways, streets and roads of the State of Montana; providing for the rate of such tax; providing for the collection thereof by county treasurers of the respective counties; providing for the creation of a special fund under the administration of the State Highway Commission; providing for the submission of yearly estimates of funds necessary for snow removal; providing criteria to guide the highway commission in disbursal of such funds; providing for the effective date of the act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 395, introduced by Hazelbaker, Dykstra, Broeder, Hibbard, Blewett: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of Article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot at the general election so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 396, introduced by Nichols, Leuthold, Hawks, Hibbard, Dykstra: A bill for an act entitled: "An act to amend section 16-1907, R.C.M. 1947, relating to emergency budgets for counties, to provide that emergency budgets for counties of the first, second, third and fourth class shall not exceed seventy-five thousand dollars (\$75,000); and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 397, introduced by Nichols, Leuthold, Hawks, Hibbard, Dykstra: A bill for an act entitled: "An act authorizing boards of county

commissioners to issue funding bonds to fund valid county warrants issued prior to July 1, 1963; providing the term of funding bonds; providing for public hearing; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 398, introduced by Johnson, Tracy, Lombardi: A bill for an act entitled: "An act to amend section 93-5816, R.C.M. 1947, relating to the exemptions of earnings of a debtor by providing that wages earned within forty-five (45) days are exempt from execution or attachment and providing a penalty for attachment or execution." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for the day. Motion Carried.

Motion was made by Blewett that the House adjourn until 2:00 p.m. Sunday, January 27, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk.

TWENTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 27, 1963

House convened, pursuant to adjournment, at 2:00 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Crum, Hanks, Keller, Lucas, Regan, Spahr, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twentieth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 27, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 147, 148, 149, 54, 164, 49, 56 and 86.

HARPER.

January 27, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 91, 185, 223, 126, 81 and House Joint Memorial No. 7, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

January 27, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 32, 40, 41, 46 and 79.

SELSTAD.

January 26, 1963

I have examined House Bills Nos. 32 and 46 introduced by me and find the same to be correct.

HAUGHEY.

January 26, 1963

I have examined House Bill No. 40 introduced by me and find the same to be correct.

McNAMER.

January 25, 1963

I have examined House Bill No. 41 introduced by me and find the same to be correct.

MURRAY.

January 25, 1963

I have examined House Bill No. 79 introduced by me and find the same to be correct.

BLEWETT.

MESSAGES FROM THE SENATE

January 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 35 introduced by Gerard.

Senate Bill No. 53 introduced by Cumming, Durkee, Groff, Mahoney.

Senate Bill No. 58 introduced by Thiessen, McElwain, Huntley, Graham, O'Neill, Cashmore, Cotton, Hilling.

Senate Joint Memorial No. 1 introduced by Siderius, McKenna, Mahoney, Dussault, Hauk, Moberly, Breen.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Beam that Rule 36 be suspended in order to allow for the introduction of one bill. The speaker referred the motion to the Committee on Rules and Journal.

Motion was made by Schye that consideration of House Bill No. 69 be passed for the day. Motion carried.

Motion was made by Casey that House Bill No. 55 be removed from General Orders and rereferred to the Committee on Judiciary. Motion failed to carry.

Blewett, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 69 in passing consideration on General Orders for the day. Motion carried.

January 27, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Bill No. 186, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chariman.

Motion was made by Jensen that Substitute House Bills Nos. 17 and 18 be considered together on General Orders. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 35, introduced by Gerard: A bill for an act entitled: "An act to amend section 75-4230, R. C. M. 1947, to provide that any time an inmate of the Montana children's center attends the public high school in Twin Bridges, the latter school shall be reimbursed from the state public school equalization fund at the rate of five hundred dollars (\$500.00)." Referred to Committee on Education.

Senate Bill No. 53, introduced by Cumming, Durkee, Groff, Mahoney: A bill for an act entitled: "An act to amend section 23-505, R. C. M. 1947, by providing for designation of precinct committeemen and committee-women as deputy registrars in the precincts in which they reside, and providing for compensation and duties for such deputy registrars." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 58, introduced by Thiessen, McElwain, Huntley, Graham, O'Neill, Cashmore, Cotton, Hilling: A bill for an act entitled: "An act to amend section 69-1343, R. C. M. 1947, by changing the definition of 'sub-division' as used therein; and amending section 69-1345, R. C. M. 1947, to provide for changing the requirements for construction and occupancy of buildings in a 'subdivision', and to amend section 69-1342, R. C. M. 1947, to provide for correct word usage." Referred to Committee on Affairs of Cities.

Senate Joint Memorial No. 1, introduced by Siderius, McKenna, Mahoney, Dussault, Hauk, Moberly, Breen: A joint memorial of the House of Representatives and the Senate of the state of Montana to the Interstate Commerce Commission; urging that the economic interests of the state of Montana be protected by Interstate Commerce Commission action preserving the present competitive rail freight rate structure applying to west-bound shipments of grain from the state of Montana and urging administrative and congressional action to insure freedom from arbitrary efforts by barge carriers and other unregulated carriers to force upon Montana shippers artificial and unjust levels of freight rates. Referred to Committee on Business and Industry.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

January 27, 1963

Mr. Speaker: The Committee on Rules, having had under consideration motion to suspend Rule 36 to permit the introduction on this date of a bill pertaining to firemen's salaries, recommend that the motion be adopted

and that Rule 36 be suspended to allow the introduction of such bill this date, and which bill will be designated House Bill No. 399.

BLEWETT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Affairs of Cities:

House Bill No. 399, introduced by Crum, Healy, Spahr: A bill for an act entitled: "An act to amend section 11-1932, Revised Codes of Montana, 1947, to increase the minimum compensation of firemen in cities of the first and second class."

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 1, was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Judge, Schye. Total 2.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 147 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Judge, Gill. Total 2.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 148 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Goan, Judge, Turnage. Total 3.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 149 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Judge, Rearden. Total 2.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 54 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Judge. Total 1.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 164 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey,

Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Smiley. Total 1.

Absent or not voting: Judge. Total 1.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 49 was passed by the following vote:

Ayes: Aasheim, Baldwin, Bashor, Beam, Beck, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Zimmer, Mr. Speaker. Total 69.

Noes: Adams, Asbjornson, Bailey, Bardanouve, Blewett, Boughton, Bradford, Casey, Gill, Haughey, Murray, Nutting, Raundal, Schye, Smith, Stranahan, Welch, Wright. Total 18.

Absent or not voting: Judge. Total 1.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

House Bill No. 56 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Cummings, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Laas, Leuthold, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Swanz, Thompson, Tooke, Turnage, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 61.

Noes: Aasheim, Adams, Bardanouve, Boughton, Brenner, Casey, Davis, Egan, Garrison, Hawks, Johnson, Lewis, Lombardi, McNamer, Raundal, Rehberg, Shelden, Slaby, Smiley, Smith, Stranahan, Spilde, Tracy, Twedt, Watt. Total 25.

Paired: Crum, aye; Kvaalen, no.

Absent or not voting: Judge. Total 1.

Excused: Hanks, Keller, Lucas, Regan, Spahr. Total 5.

House Bill No. 86 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reineck, Rosell, Schepens, Schye, Sel-

stad, Seymour, Sheldon, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Judge, Turnage. Total 2.

Excused: Crum, Hanks, Keller, Lucas, Regan, Spahr. Total 6.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Hawks of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 150 be passed for the day.

That Substitute House Bill No. 18 do pass.

That Substitute House Bill No. 17 do pass.

That consideration of House Bill No. 66 be passed for the day.

That consideration of House Bill No. 11 be passed for the day.

That consideration of House Bill No. 69 be passed for the day.

That House Bill No. 103 do pass.

That House Bill No. 151 do pass.

That Substitute House Bill No. 52 do pass.

That House Bill No. 111 do pass.

That House Bill No. 125 do pass.

That consideration of House Bill No. 187 be passed for the day.

That further consideration of House Bill No. 55 be passed for the day.

That Senate Amendments to House Bill No. 85 be concurred in.

That Senate Amendments to House Bill No. 47 be concurred in.

That Senate Amendments to House Bill No. 50 be concurred in.

That Senate Amendments to House Bill No. 62 be concurred in.

That Senate Amendments to House Bill No. 74 be concurred in.

HAWKS, Chairman.

Motion was made by Hawks for the adoption of the committee report. Substitute motion was made by Haughey that Substitute House Bill No. 52 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Monday, January 28. Motion carried.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

TWENTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 28, 1963

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hanks, Lucas and Crum, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-first Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 27, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 44 and 82.

SELSTAD.

I have examined House Bill No. 82 introduced by me and find the same to be correct.

REHBERG.

I have examined House Bill No. 44 introduced by me and find the same to be correct.

AASHEIM.

January 27, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 73, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be concurred in.

NICHOLS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the previous day's printing report on House Joint Memorial No. 7 be corrected and so shown on the Journal, and that House Joint Memorial No. 7 be removed from General Orders. Motion carried.

Motion was made by Blewett that House Bill No. 69 be removed from General Orders and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Haughey that Substitute House Bill No. 52 be removed from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Jensen that House Bill No. 187 be removed from General Orders and rereferred to the Committee on Affairs of Cities. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 85 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Garrison. Total 1.

Excused: Hanks, Crum, Lucas. Total 3.

Senate Amendments to House Bill No. 47 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Pierce, Shelden. Total 2.

Excused: Hanks, Crum, Lucas. Total 3.

Senate Amendments to House Bill No. 50 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Adams, Blewett, Harper, Haughey, Murray. Total 5.

Absent or not voting: Bardanouve, Pierce. Total 2.

Excused: Hanks, Crum, Lucas. Total 3.

Senate Amendments to House Bill No. 62 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Adams, Blewett, Boughton, Goan, Haughey, Keller, Murray. Total 7.

Absent or not voting: None.

Excused: Hanks, Crum, Lucas. Total 3.

Senate Amendments to House Bill No. 74 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Adams, Blewett, Goan, Haughey, Keller, Murray, Seymour. Total 7.

Absent or not voting: Spahr. Total 1.

Excused: Hanks, Crum, Lucas. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 150 be placed at the bottom of the calendar.

Motion was made by McNamer that House Bill No. 66 do pass.

Substitute motion was made by Wayrynen that further consideration of House Bill No. 66 be indefinitely postponed.

Motion was made by Blewett that the committee rise and report progress and beg leave to sit again. Motion carried.

TWEDT, Chairman.

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 28, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bills Nos. 18 and 17, House Bills Nos. 103, 151, 111 and 125.

HARPER.

January 28, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 100 and 116, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3, do not pass, but that

Substitute House Bill No. 3, introduced by the Committee on Judiciary: A bill for an act entitled: "An act amending section 91-4414, R.C.M. 1947, to provide that property transfers to trusts and foundations shall be totally exempt from inheritance tax."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Ways and Means, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

SCHYE, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Ways and Means, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do pass.

SCHYE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 47 introduced by Hafferman, McDonnell, DeWolfe, Beley.

Senate Bill No. 48 introduced by McDonnell, DeWolfe, Balgord, Hafferman, Beley.

Senate Bill No. 52 introduced by Mackay, Bovey, Gerard.

Senate Bill No. 55, introduced by McDonnell, Dussault.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 75 introduced by Leuthold.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Joint Resolution No. 1 introduced by Bardanoue, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 47, introduced by Hafferman, McDonnell, DeWolfe, Beley: A bill for an act entitled: "An act to amend section 5-1028, R. C. M. 1947, prohibiting branch banking and providing for drive-in and walk-up facilities." Referred to Committee on Business and Industry.

Senate Bill No. 48, introduced by McDonnell, DeWolfe, Balgord, Hafferman, Beley: A bill for an act entitled: "An act to amend section 16-2618, R. C. M. 1947, relating to deposit of public funds by county, city and town treasurers, and providing for the substitution of securities pledged for the security of such deposits." Referred to Committee on Business and Industry.

Senate Bill No. 52, introduced by Mackay, Bovey, Gerard: A bill for an act entitled: "An act continuing and perpetuating the Montana historical society and prescribing the powers and duties of the board of trustees of the society; abolishing the Montana fine arts' commission; and repealing sections 44-501, 44-502, 44-503, 44-504, 44-505, 44-506, 44-507, 44-508, 44-509, 44-510, 44-511, 44-512, 44-513, 44-514, 44-515, 19-119, 19-120, and 19-121, R. C. M. 1947." Referred to Committee on Affairs of Cities.

Senate Bill No. 55, introduced by McDonnell, Dussault: A bill for an act entitled: "An act to amend section 89-1001, R. C. M. 1947, to provide that a water commissioner shall be appointed to distribute decreed water rights by application of five per cent (5%) of the owners of the water rights affected." Referred to Committee on Agriculture and Irrigation.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 18 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Garrison. Total 1.

Excused: Crum, Hanks. Total 2.

Substitute House Bill No. 17 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Garrison, Goan. Total 2.

Excused: Crum, Hanks. Total 2.

House Bill No. 103 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey

Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Wayrynen. Total 1.

Excused: Crum, Hanks. Total 2.

House Bill No. 151 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Crum, Hanks. Total 2.

House Bill No. 111 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Absent or not voting: None.

Excused: Crum, Hanks. Total 2.

House Bill No. 125 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith,

Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total: 90.

Noes: Wayrynen. Total 1.

Absent or not voting: Adams. Total 1.

Excused: Crum, Hanks. Total 2.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 66 do pass.

That consideration of House Bill No. 11 be passed for the day.

That House Bill No. 55 do pass.

That House Bill No. 91 do pass.

That House Bill No. 185 do pass.

That House Bill No. 223 do pass.

That House Bill No. 126 do pass.

That House Bill No. 81 do pass.

That House Bill No. 186 do pass.

That consideration of House Bill No. 150 be passed for the day.

TWEDT, Chairman.

Report adopted.

An extension of time of five days was granted the Committee on Rules for considering the revision of rules in regard to the reading of bills.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 44, 82, 41, 40, 46, 32 and 79.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Tuesday, January 29, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 29, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro-Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Goan, Thompson, Hanks and Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Townships and Counties, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do pass.

ASBJORNSON
FALKENSTERN
TOOKE
AASHEIM
O'HAIR
OSBURNSEN
SLABY
TWEDT

Motion was made by Asbjornson for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Townships and Counties, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do not pass.

ADAMS, Chairman
LUNDGREN
BALDWIN
SMITH
NUTTING
WRIGHT

Substitute motion was made by Adams for adoption of the Minority report. Substitute motion carried. Minority report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 2, respectfully report as follows: That House Resolution No. 2 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 do not pass.

HAUGHEY, Chairman

Report adopted.

January 28, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 223, 185, 186, 91, 126.

HARPER

January 29, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 7, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MESSAGES FROM THE GOVERNOR

January 26, 1963

Honorable Frank Hazlebaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 9—Introduced by Dykstra & Jenkins

House Bill No. 12—Introduced by Dykstra & Jenkins

House Bill No. 14—Introduced by Dykstra & Jenkins

House Bill No. 15—Introduced by Dykstra & Jenkins

Yours truly,

TIM BABCOCK
Governor

January 28, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No.13—Introduced by Jenkins & Dykstra.

Sincerely,

TIM BABCOCK
Governor

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that house Bill No. 155 be taken from the Committee on State Administration and rereferred to the Committee on Ways and Means. Motion carried.

Motion was made by Blewett that House Joint Resolution No. 4 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Blewett that House Bill No. 141 be taken from the Committee on State Administration and rereferred to the Committee on Townships and Counties. Motion carried.

Motion was made by Blewett that House Bill No. 250 be taken from the Committee on State Administration and rereferred to the Committee on Education. Motion carried.

Motion was made by Blewett that House Bill No. 249 be taken from the Committee on State Administration and rereferred to the Committee on Highways. Motion carried.

Motion was made by Blewett that House Bill No. 202 be taken from the Committee on State Administration and rereferred to the Committee on Agriculture. Motion carried.

Motion was made by Blewett that House Bill No. 192 be taken from the Committee on State Administration and rereferred to the Committee on Townships and Counties. Motion carried.

Motion was made by Blewett that House Bill No. 317 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Blewett that House Bill No. 272 be taken from the Committee on Ways and Means and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Bardanouve that the Speaker appoint a four or six man bipartisan investigation committee to investigate all phases of the welfare program in Cascade and Silver Bow Counties.

Jensen requested a Call of the House and, there being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress being reported, Jensen moved the Call of the House be dispensed with. Motion carried. Wayrynen requested that a roll call vote be taken with the results thereof to be spread on the Journal. A sufficient number of seconds arose, a roll call vote was taken and the motion failed to carry by the following vote.

Ayes: Adams, Bailey, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Eskildsen, Egan, Flynn, Gill, Good, Haines, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Rearden, Regan, Reinecke, Schepens, Seymour, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 44.

Noes: Asbjornson, Baldwin, Beam, Boughton, Casey, Crum, Dykstra, East, Etchart, Falkenstern, Garrison, Haughey, Hawks, Hemstad, Hibbard, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Rosell, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 45.

Absent or not voting: Raundal. Total 1.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

Extension of time was granted on House Joint Memorial No. 4, and House Bills Nos. 129, 137 and 208.

January 29, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 66.

HARPER

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 223 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor,

Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Flynn. Total 1.

Absent or not voting: Murray, Raundal, Rearden, Shelden. Total 4.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

House Bill No. 185 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lungren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer. Total 85.

Noes: None.

Absent or not voting: McNamer, Murray, Raundal, Wayrynen, Mr. Speaker. Total 5.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

House Bill No. 186 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: McNamer, Murray, Pierce, Raundal, Shelden. Total 5.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

House Bill No. 91 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen,

Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Bradford. Total 1.

Absent or not voting: McNamer, Murray, Raundal, Shelden. Total 4.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

House Bill No. 126 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Kvaalen, Weeks. Total 2.

Absent or not voting: McNamer, Murray, Raundal, Wright. Total 4.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

Motion was made by Wayrynen that House Bill No. 66 be laid on the table. McNamer requested a Call of the House and, there being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress being reported, McNamer moved the Call of the House be dispensed with. Motion carried. Motion failed to carry.

House Bill No. 66 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Haines, Haughey, Hawks, Hemstad, Hibbard, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Turnage, Watt, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 64.

Noes: Bailey, Blewett, Bradford, Davis, Flynn, Gill, Good, Harper, Healy, Holtz, Johnson, Lewis, Lombardi, O'Hair, Rearden, Regan, Seymour, Shelden, Slaby, Spahr, Tracy, Twedt, Wayrynen, Welch. Total 24.

Paired: Thompson, aye; Bardanouve, no.

Absent or not voting: Raundal. Total 1.

Excused: Aasheim, Goan, Hanks. Total 3.

January 28, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 81 and 55.

HARPER

House Bill No. 81 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Stranahan, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Brenner, Osburnsen, Schye, Smiley, Spilde, Tooke. Total 6.

Absent or not voting: Raundal. Total 1.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

House Bill No. 55 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Regan, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 70.

Noes: Bashor, Boughton, East, Egan, Garrison, Hawks, Laas, Lewis, Pierce, Rearden, Rehberg, Reinecke, Rosell, Slaby, Smith, Twedt, Wayrynen, Woodard. Total 18.

Absent or not voting: Eskildsen, Raundal. Total 2.

Excused: Aasheim, Goan, Hanks, Thompson. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Laas of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 11 be passed for the day.

That House Bill No. 150 do pass.

That House Bill No. 73 do pass.

That House Bill No. 100 do pass.

That House Bill No. 116 do pass.

That Senate Amendments to House Bill No. 75 do pass.

That Senate Bill No. 21 be concurred in.

LAAS, Chairman

Report adopted.

Extension of time was granted on House Joint Memorial No. 6 and on House Bills Nos. 37 and 162.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday January 30, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 30, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro-Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, Goan, Hanks, Hawks, Hibbard, Regan and Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

BROEDER, Chairman

REPORTS OF STANDING COMMITTEES

January 29, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 32, 40, 41, 44, 46, 79 and 82, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:45 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman

January 30, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 100, 116, 150 and 73.

HARPER

January 30, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 231, 235, 212 and 340, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do not pass.

HAUGHEY, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do pass.

HAINES, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 190, respectfully reports as follows: That House Bill No. 190 do pass.

HAINES, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Memorial No. 10, respectfully report as follows: That House Joint Memorial No. 10 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be concurred in.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Memorial No. 12, respectfully report as follows: That House Joint Memorial No. 12 do pass.

WRIGHT, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do pass.

SMITH, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do pass.

SMITH, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 do pass.

SMITH, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

SMITH, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do pass.

PIERCE, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

PIERCE, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do pass.

PIERCE, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 10, respectfully report as follows: That House Joint Resolution No. 10 do pass.

PIERCE, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do not pass.

KVAALEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do pass.

KVAALEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do pass.

KVAALEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do pass.

KVAALEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do pass.

KVAALEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

LEUTHOLD, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do pass.

LEUTHOLD, Chairman

Report Adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that House Bill No. 83 be taken from the Committee on Education and rereferred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Schye, having voted on the prevailing side on the substitute motion that House Bill No. 266 do not pass, moved that the House reconsider its action and that House Bill No. 266 be printed and placed on General Orders. Substitute motion was made by Blewett that action on the previous motion be deferred until the next legislative day. Substitute motion carried.

Motion was made by Blewett that House Bill No. 225 be taken from the Committee on State Administration and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Blewett that House Bill No. 265 be taken from the Committee on State Administration and rereferred to the Committee on Business and Industry. Motion carried.

Extension of time was granted on House Bills Nos. 153, 157, 162, 191, 197, 198 and 213.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 400, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys for certain agencies and institutions of state government for the biennium ending June 30, 1963."

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 21 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Dykstra, East, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Haughey, Healy, Hemstad, Holtz, Johnson, Judge, Kvaalen, Laas, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Rearden, Rehberg, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Welch, Woodard, Wright, Zimmer. Total 72.

Noes: Casey, Deschamps, Egan, Harper, Keller, Leuthold, Pierce, Raundal, Reinecke, Tracy, Weeks. Total 11.

Absent or not voting: Jenkins, Jensen, Schye, Wayrynen. Total 4.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard Regan, Mr. Speaker. Total 7.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 75 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Healy, Hemstad, Holtz, Jenkins, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 79.

Noes: Adams, Blewett, Boughton, Haughey, Keller, Pierce. Total 6.

Absent or not voting: Dykstra, Jensen. Total 2.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard Regan, Mr. Speaker. Total 7.

House Bill No. 100 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer. Total 81.

Noes: Eskildsen, Wayrynen. Total 2.

Absent or not voting: Aasheim, Dykstra, Jensen, Nichols. Total 4.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard Regan, Mr. Speaker. Total 7.

House Bill No. 116 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer. Total 81.

Noes: Garrison, Raundal, Wayrynen. Total 3.

Absent or not voting: Aasheim, Dykstra, Schye. Total 3.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard Regan, Mr. Speaker. Total 7.

House Bill No. 150 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Falkenstern, Garrison, Gill Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer. Total 75.

Noes: Bardanouve, Brenner, Eskildsen, Flynn, Laas, Lewis, Lombardi, Raundal, Shelden, Tooke, Wayrynen. Total 11.

Absent or not voting: Schye. Total 1.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard Regan, Mr. Speaker. Total 7.

House Bill No. 73 was passed by the following vote:

Ayes: Adams, Baldwin, Bashor, Beam, Beck, Boughton, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Good, Haines, Harper, Haughey, Healy, Hemstad, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Lombardi, Lund, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Seymour, Smiley, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Wayrynen, Welch, Woodard. Total 57.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Blewett, Brenner, Cummings, Garrison, Gill, Holtz, Leuthold, Lucas, Lundgren, Mathers, Murray, O'Hair, Osburnsen, Shelden, Slaby, Smith, Spahr, Watt, Weeks, Wright, Zimmer. Total 25.

Paired: Hibbard, aye, Twedt, no; Etchart, aye, Bradford, no; Regan, aye, Selstad, no.

Absent or not voting: Broeder, Schye. Total 2.

Excused: Goan, Hanks, Hawks, Mr. Speaker. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a

Committee of the Whole for the consideration of business under General Orders. Motion carried.

Nash of Broadwater in the Chair. Committee arose.

House resumed. Speaker Pro-Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That the enacting clause be stricken from House Bill No. 11.

That House Joint Resolution No. 7 do pass.

NASH, Chairman

Report Adopted.

Motion was made by Blewett that the House recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro-Tem in the Chair.

REPORTS OF STANDING COMMITTEES

January 30, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 184 and 236, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 30, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 3, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

January 29, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Resolution No. 1.

SELSTAD

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BARDANOUVE

January 29, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 85, 47, 50, 62 and 74.

SELSTAD

I have examined House Bill No. 62 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 85 introduced by me and find the same to be correct.

NICHOLS

I have examined House Bills Nos. 47, 50 and 74 introduced by me and find the same to be correct.

LEUTHOLD

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do pass.

ADAMS, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be concurred in.

ADAMS, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do not pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do pass.

JENSEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 do pass.

JENSEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do pass.

JENSEN, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do not pass.

JENSEN, Chairman

Report Adopted.

January 30, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following correctly engrossed: House Joint Resolution No. 7.

HARPER

INTRODUCTION OF BILLS

The following was introduced, read first and second times, and referred to the Committee on Education:

House Joint Resolution No. 12, introduced by Seymour, Rosell: A Joint Resolution of the Senate and House of Representatives directing the State Board of Education, ex officio regents of the University of Montana, to conduct a study of the feasibility and desirability of changing the names of the various units of the University of Montana.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Joint Resolution No. 7 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Zimmer. Total 75.

Noes: Casey, Jenkins, Raundal, Selstad, Spahr, Welch, Wright. Total 7.

Absent or not voting: Brenner, Broeder, Lombardi, Nichols, Osburnsen. Total 5.

Excused: Etchart, Goan, Hanks, Hawks, Hibbard, Regan, Mr. Speaker. Total 7.

January 30, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 75.

SELSTAD

I have examined House Bill No. 75 introduced by me and find the same to be correct.

LEUTHOLD

The Speaker Pro Tem signed the following bills in open session, the titles having first been read: House Bills Nos. 50, 47, 85 and 62, House Joint Resolution No. 1, House Bill No. 75, Senate Joint Resolution No. 2, and Senate Bills Nos. 1, 25 and 26.

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

DYKSTRA, Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 be amended as follows:

By deleting the words "loans and investments" in line 8 of the title of said bill and substituting in lieu thereof the following: "real estate loans".

By inserting the following words after the comma following the word "Montana" and before the word "may" in line 15: "and insured by the federal savings and loan corporation,"

By deleting the words "loan or investment" appearing the second time in line 16 and ending in line 17 and substituting in lieu thereof the following: "real estate loan"

By deleting the words "loans or investments" appearing in line 21 and substituting in lieu thereof the following: "real estate loans"

By deleting all of lines 23, 24, 25 and 26 and substituting in lieu thereof the following: "as shall from time to time be permitted by acts of Congress of the United States or of the federal home loan bank board to federally chartered savings and loan associations domiciled in this state."

And as amended do pass.

DYKSTRA, Chairman

Report Adopted.

MESSAGES FROM THE SENATE

January 30, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommend for non-concurrence by the by the Committee on Agriculture, report adopted, and the same is herewith returned to the House:

House Bill No. 63, introduced by Business and Industry Committee

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

January 29, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 114 introduced by Hibbard, Haughey

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 29, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary recommended that House Bill No. 26 be not concurred in; but that Senate Substitute for House Bill No. 26 do pass.

We are herewith returning House Bill No. 26.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 29, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 6 introduced by Dussault.

Senate Bill No. 88 introduced by Bovey, Mackay.

Senate Bill No. 108 introduced by McDonnell, Brenner, Cumming, Nixon, Goodwin, Durkee, Mahoney, Ullom, Cashmore, Dussault.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 6, introduced by Dussault: A bill for an act entitled: "An act requiring submission of vital statistics information by clerks of the district courts at time of entry of decree of divorce or annulment and providing for transmittal of such information to the state registrar of vital statistics." Referred to Committee on Judiciary.

Senate Bill No. 88, introduced by Bovey, Mackay: A bill for an act entitled: "An act to amend section 53-106.1, R. C. M. 1947, to provide that only a motor vehicle manufactured more than thirty (30) years prior to the year 1963 shall be licensed as a collectors' item." Referred to Committee on Highways.

Senate Bill No. 108, introduced by McDonnell, Brenner, Cumming, Nixon, Goodwin, Durkee, Mahoney, Ullom, Cashmore, Dussault: A bill for an act entitled: "An act to amend section 84-202, R. C. M. 1947, to pro-

vide for tax exemption for that portion of a clubhouse or building not used for gain or profit belonging to any society or organization of honorably discharged United States soldiers, sailors or marines." Referred to Committee on State Administration.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Thursday, January 31, 1963. Motion carried.

House adjourned.

FRED O. BROEDER, Speaker Pro Tem.

WILLIAM WALRATH, Chief Clerk.

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 31, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro-Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hanks and Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker. We, your Committee on Education, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

KVAALLEN, Chairman

Motion was made by Kvaalen for adoption of the committee report.

Substitute motion was made by Jensen that House Bill 160 be printed and placed on General Orders. After debate Blewett moved the previous question. Motion carried. Substitute motion by Jensen carried.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 be amended as follows:

Amend the title of the bill by striking out in lines 8 and 9 of the original bill, following the word "THE", the words and punctuation "SALARY, PER DIEM AND"

Strike out in line 19, the figures and underlining "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00".

Strike out in line 20, the figures and underlining "\$5,700.00" and insert in lieu thereof the figures "\$4,900.00".

Strike out in line 21, the figures and underlining "\$5,500.00" and insert in lieu thereof the figures "\$4,800.00".

Strike out in line 22, the figures and underlining "\$5,000.00" and insert in lieu thereof the figures "\$4,700.00".

Strike out in lines 24 and 25, the words and figures and underlining "twenty-five dollars (\$25.00)" and insert in lieu thereof the words and figures "fifteen dollars (\$15.00)"

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 be amended as follows:

In line 8 of the original bill by striking the words "or out of";

In section 1, line 20 of the original bill by striking the words "or out of";

In section 1, line 21 of the original bill by striking the words "from or to any other state".

And, as amended, do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do pass.

REINECKE, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do not pass.

REINECKE, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do pass.

HAUGHEY, Chairman

Report adopted.

January 31, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 114.

SELSTAD

January 31, 1963

I have examined House Bill No. 114 introduced by me and find the same to be correct.

HIBBARD

MESSAGES FROM THE SENATE

January 31, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 5, introduced by Dussault, Schoonover, Mahoney, Jensen

Senate Bill No. 41, introduced by Groff, McGowan, Cumming, MacDonald, Dussault, Balgord, Brenner

Senate Bill No. 62, introduced by Shaw, Carney, McElwain, Gerard

Senate Bill No. 101, introduced by Brenner

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 30, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Joint Memorial No. 1, introduced by Jensen, Turnage, Gill, Haines, Northey, Deschamps, and Lundgren

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Blewett informed the House that it presently has pending before it

the previous day's motion that the House reconsider its action on House Bill No. 266. Substitute motion was made by Adams that further consideration of House Bill No. 266 be laid on the table. Substitute motion carried.

Motion was made by Dykstra that House Bill No. 340 be taken from General Orders and rereferred to the Committee on Business and Industry. Motion carried.

Motion was made by Haughey that Substitute House Bill No. 3 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Boughton that House Joint Memorial No. 15 be taken from the Committee on Fish and Game and rereferred to the Committee on Townships and Counties. Motion carried.

January 31, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 171 and 333, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

INTRODUCTION OF BILLS

The following bills were introduced, read first and second time, and referred to committees:

Senate Bill No. 5, introduced by Dussault, Schoonover, Mahoney, Jensen: A bill for an act entitled: "An act to amend section 93-302, R.C.M. 1947, to increase the number of district judges in the Fourth Judicial District from two to three." Referred to Committee on Judiciary.

Senate Bill No. 41, introduced by Groff, McGowan, Cumming, MacDonald, Dussault, Balgord, Brenner: A bill for an act entitled: "An act to amend articles VI and XI of section 89-3201, R.C.M. 1947, relating to the Columbia Interstate Compact." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 62, introduced by Shaw, Carney, McElwain, Gerard: A bill for an act entitled: "An act to amend section 82-1008 of the Revised Codes of Montana, 1947, as amended, to provide for an annual examination by the State Examiner of the books and accounts of all school districts of the first and second class and of third class districts maintaining a high school, and deleting therefrom optional provisions with respect to such examinations; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Education.

Senate Bill No. 101, introduced by Brenner: A bill for an act entitled: "An act amending section 84-4907, R.C.M. 1947, relating to nonresident taxpayers personal income tax and deductions therefrom; providing for the proration of deductions." Referred to Committee on Ways and Means.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Deschamps of Missoula in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Joint Resolution No. 1 be concurred in.

That Senate Bill No. 50 be concurred in.

That House Bill No. 231 do pass.

That House Bill No. 235 do pass.

That House Bill No. 212 do pass.

That House Bill No. 184 be amended in the title by striking out in line 5 of the original bill, being lines 2 and 3 of the printed bill, the words "AN APPLICANT FOR" and inserting in lieu thereof the words "A RECIPIENT OF";

Be further amended in Section 1 by striking out in line 31, page 1 of the original bill, being line 23, page 2 of the printed bill, the words "an applicant for" and inserting in lieu thereof the words "a recipient of";

And as amended, do pass.

That House Bill No. 236 do pass.

That Senate Bill No. 37 be concurred in.

That Senate Joint Memorial No. 1 be concurred in.

DESCHAMPS, Chairman

Deschamps moved for the adoption of the Committee report. Substitute motion was made by Goan that Senate Bill No. 37 be segregated from the Committee of the Whole report, with a request that a roll call vote be taken with the results thereof to be spread on the Journal. Sufficient seconds arose.

Jensen requested a Call of the House and, there being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress being reported, Jensen moved the Call of the House be dispensed with. Motion carried. Roll call vote was taken and the substitute motion failed to carry by the following vote:

Ayes: Bardanouve, Beam, Blewett, Bradford, Crum, Egan, Goan, Haines, Harper, Haughey, Keller, Kvaalen, Leuthold, Murray, Nash, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Selstad, Seymour, Smiley, Spahr, Thompson, Woodard. Total 27.

Noes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beck, Boughton, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Schepens, Schye, Shelden, Slaby, Smith, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Wright, Zimmer. Total 61.

Absent or not voting: Broeder, McNamer, Spilde, Wayrynen. Total 4.

Excused: Hanks, Mr. Speaker. Total 2.

Substitute motion was made by Rehberg that House Bill No. 235 be segregated from the Committee of the Whole report. Motion carried. Report adopted as amended.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

January 31, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 231, 236 and 212.

HARPER

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 be amended as follows:

In Section 1, line 25, of page 1 by striking out the following words "from the general fund" and inserting in lieu thereof the following words "from the livestock commission fund"

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do pass.

HAINES, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 31, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 18 introduced by Grieve, McDonnell, Manning, Nixon, Shaw, Dussault

Senate Bill No. 22 introduced by Hauk, Thiessen, Schoonover, Nees

Senate Bill No. 31 introduced by McKeon

Senate Bill No. 60 introduced by Shaw, Edwards, Carney

Senate Bill No. 91 introduced by McKeon, Siderius, Hafferman, Jensen, Reardon, Cashmore, O'Neill, Lehrkind

Senate Bill No. 102 introduced by Brenner

Senate Bill No. 109 introduced by Rieder, Siderius, Schoonover, McKeon, McGowan, Durkee, Shaw, Rostad, Thomas, Huntley, Dussault, Cotton, Thiessen.

Senate Bill No. 126 introduced by Gerard, Stein

Senate Joint Memorial No. 2 introduced by Edwards, Nixon, Shaw, McDonnell, Moritz, Cole, Thomas, McGowan, Ullom

Senate Joint Resolution No. 6 introduced by Nixon, Thiessen, Cook,

Ullom, McDonnell, Cashmore, Nees, Grieve, Groff, Dussault, Gerard, Edwards.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 31, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 38 introduced by Keller, Holtz

House Bill No. 72 introduced by Turnage, Lucas, Garrison

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

Motion was made by Rehberg that House Bill No. 236 be taken from Third Reading and rereferred to the Committee on Business and Industry. Motion carried.

Goan, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 123 and that the same be printed and placed on General Orders. Motion failed to carry.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 18, introduced by Grieve, McDonnell, Manning, Nixon, Shaw, Dussault: A bill for an act entitled: "An act permitting the creation of professional service corporations, and amending sections 15-103 and 15-104, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 22, introduced by Hauk, Thiessen, Schoonover, Nees: A bill for an act entitled: "An act to provide that it shall be illegal for any person to hunt any wildlife during the hours of sunset and sunrise with the use of artificial light." Referred to Committee on Fish and Game.

Senate Bill No. 31, introduced by McKeon: A bill for an act entitled: "An act to amend section 94-2505, Revised Codes of Montana, 1947, relating to the punishment for murder in the first degree." Referred to Committee on Judiciary.

Senate Bill No. 60, introduced by Shaw, Edwards, Carney: A bill for an act entitled: "An act amending section 75-1804, of the Revised Codes of Montana, 1947, removing the March 1 to July 1 limitation on annexation and consolidation of school districts as provided in section 75-1813, Revised Codes of Montana, 1947, and providing an effective date." Referred to Committee on Education.

Senate Bill No. 91, introduced by McKeon, Siderius, Hafferman, Jensen, Rearden, Cashmore, O'Neil, Lehrkind: A bill for an act entitled: "An act to amend section 92-812, R.C.M. 1947, by providing that the Industrial Accident Board must appoint an independent hearing officer in all hearings involving plan III." Referred to Committee on Labor and Compensation.

Senate Bill No. 102, introduced by Brenner: A bill for an act entitled: "An act amending section 84-4914, R.C.M. 1947, relating to personal income tax, to require the filing of income tax returns upon certain conditions and to provide for the election of filing joint returns and amending the procedure for filing returns; amending section 84-4922, R.C.M. 1947, to provide that revision on income tax returns may be made within five (5) years from due date; amending section 84-4924, R.C.M. 1947, to provide for a six per cent (6%) per annum interest rate on unpaid income taxes and providing an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 109, introduced by Rieder, Siderius, Schoonover, McKeon, McGowan, Durkee, Shaw, Rostad, Thomas, Huntley, Dussault, Cotton, Thiessen: A bill for an act entitled: "An act revising chapter 4, title 81, R.C.M. 1947, to change certain requirements and provisions for the leasing of state grazing and agricultural lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, 81-413, 81-422, 81-414, 81-415, 81-419, 81-421, 81-433 and 81-435, R.C.M. 1947, relating to the appraisal of state lands, the placing of improvements on state lands, lease terms and the cancellation of leases on state lands, the processing of applications to lease less than the total acreage leased, and the formula for determining rentals on state grazing lands; and by repealing sections 81-417, 81-432 and 81-433.1, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 126, introduced by Gerard, Stein: A bill for an act entitled: "An act to amend section 59-516, R.C.M. 1947, to provide that certain records may be destroyed after a period of twenty-five years." Referred to Committee on State Administration.

Senate Joint Memorial No. 2, introduced by Edwards, Nixon, Shaw, McDonnell, Moritz, Cole, Thomas, McGowan, Ullom: A joint memorial to the Congress and Executive branch of the Federal Government requesting that a public hearing be held in the area affected before any final decision is made to establish dams, wilderness areas, wild life game refuges, migratory bird refuges, or parks. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 6, introduced by Nixon, Thiessen, Cook, Ullom, McDonnell, Groff, Dussault, Gerard, Edwards, Cashmore, Nees, Grieve: A joint resolution of the Senate and House of Representatives of the State of Montana inviting the Boy Scouts of America to hold and conduct its National Boy Scout Jamboree in 1968 on the eastern border of Glacier National Park near East Glacier, Montana. Referred to Committee on Education.

House Bill No. 401, introduced by Aasheim, Watt, Twedt: A bill for an act entitled: "An act amending sections 84-4902, 84-1901 and 75-3613, R.C.M. 1947, to increase income tax rates and to provide that seventy-five percent (75%) of all moneys received from the collection of income taxes be paid into the state public school equalization fund."

Motion was made by Haughey that House Bill No. 401 be laid on the table. Motion carried.

January 31, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 200, 203, 327, 289, House Joint Resolution No. 10, and House Bills Nos. 280 and 119, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 88.

Noes: None:

Absent or not voting: Broeder, Laas, Shelden, Tracy. Total 4.

Excused: Hanks, Mr. Speaker. Total 2.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brandford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 89.

Noes: None.

Absent or not voting: Broeder, Laas, Shelden. Total 3.

Excused: Hanks, Mr. Speaker. Total 2.

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Boughton, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Reinecke, Schepens, Schye, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer. Total 66.

Noes: Beam, Blewett, Bradford, Crum, Egan, Goan, Haines, Harper, Haughey, Kvaalen, Lundgren, Murray, Rearden, Regan, Rehberg, Rosell, Selstad, Seymour, Smiley, Spahr, Thompson, Wayrynen. Total 22.

Absent or not voting: Aasheim, Broeder, Laas, Shelden. Total 4.

Excused: Hanks, Mr. Speaker. Total 2.

Senate Joint Memorial No. 1 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren,

Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 88.

Noes: None:

Absent or not voting: Aasheim, Broeder, Laas, Shelden. Total 4.

Excused: Hanks, Mr. Speaker. Total 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 231 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 81.

Noes: Adams, Bradford, Brenner, Davis, Harper, Raundal. Total 6.

Absent or not voting: Aasheim, Bardanouve, Broeder, Laas, Shelden. Total 5.

Excused: Hanks, Mr. Speaker. Total 2.

House Bill No. 212 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright. Total 86.

Noes: Eskildsen, Raundal, Zimmer. Total 3.

Absent or not voting: Aasheim, Broeder, Laas. Total 3.

Excused: Hanks, Mr. Speaker. Total 2.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

Motion was made by Blewett that consideration of business under General Orders be passed for the day. Motion carried.

Extension of time was granted on the following: House Bills Nos. 99, 324, 338, 161, 335, 393, 362, 202, 321, and House Joint Memorial No. 11.

The Speaker Pro Tem signed the following bill in open session, the title having first been read: House Bill No. 114.

Motion was made by Blewett that the House recess until 10:00 a.m., Friday, February 1, 1963. Motion carried.

House adjourned.

FRED O. BROEDER, Speaker
Pro Tem

WILLIAM WALRATH, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 1, 1963

House convened, pursuant to adjournment, at 10:00 a. m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Spilde and Mr. Speaker, excused; and Garrison.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fifth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

January 31, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 184.

HARPER.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 193, 226, 189, 221, 283, 291 and 22, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Joint Memorial No. 11, respectfully report as follows: That House Joint Memorial No. 11 be amended as follows:

Amend the title of the original bill, line 4, by striking the words "no restrictions be placed" and inserting in lieu thereof the words "the volun-

tary participation provisions be retained in future agricultural production control measures"

And further amend the original memorial on lines 28 and 29, page 1, by striking the words "delete from future agricultural production control measures any reference to", and inserting in lieu thereof the words "retain in future agricultural production control measures, the voluntary participation provisions with reference to".

And, as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee in Appropriations, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 be amended as follows:

By amending in section 1 on page 1, line 20 of the original bill, being page 1, line 6 of the printed bill by striking the figures "\$25,000.00" and inserting in lieu thereof the figures "\$22,000.00"

And be further amended on page 1, line 21 of the original bill, being page 1, line 7 of the printed bill by striking the figures "\$20,000.00" and inserting in lieu thereof the figures "\$18,000.00"

And be further amended on page 1, line 22 of the original bill, being page 1, line 8 of the printed bill by striking the figures "\$18,500.00" and inserting in lieu thereof the figures "\$17,000.00"

And be further amended in section 2, page 2, lines 2 and 3 of the original bill, being page 2, line 5 of the printed bill, the words and figures "fifteen thousand dollars (\$15,000.00)" and inserting in lieu thereof the words and figures "thirteen thousand five hundred dollars (\$13,500.00)"

And as so amended, do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That House Joint Memorial No. 2 be amended as follows:

Amend by striking in line 22 of the original bill, page 1, the word "man" following the word "one" and insert in lieu thereof the word "operator".

Amend by striking in line 26 of the original bill, page 1, the word "man" following the word "one" and insert in lieu thereof the word "operator".

And, as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 29, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 32—Introduced by Judiciary Committee.

House Bill No. 40—Introduced by McNamer.

House Bill No. 41—Introduced by Lucas, et al.

House Bill No. 44—Introduced by Aasheim, et al.

House Bill No. 46—Introduced by Judiciary Committee.

House Bill No. 79—Introduced by Blewett, et al.

House Bill No. 82—Introduced by Rehberg, et al.

Yours truly,

TIM BABCOCK,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey to take House Bill No. 401 from the table. Motion carried. The speaker referred House Bill No. 401 to the Committee on Ways and Means.

Motion was made by Kvaalen that House Bill No. 280 be taken from General Orders and rereferred to the Committee on Education. Motion carried.

Motion was made by Haughey that House Bill No. 217 be taken from the Committee on Judiciary and rereferred to the Committee on Townships and Counties. Motion carried.

Motion was made by Rehberg that House Bill No. 235 be taken from General Orders and rereferred to the Committee on Business and Industry. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 184 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Strananhan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 87.

Noes: Gill, Slaby, Twedt. Total 3.

Absent or not voting: Garrison, Schye. Total 2.

Excused: Spilde, Mr. Speaker. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Raundal of Petroleum in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 171 be amended in section 1 by striking out in line 29, page 1 of the original bill, being line 14, page 1 of the printed bill, section (c) in its entirety, and inserting in lieu thereof section "(c) As used in this act, 'public roads and highways in this state' shall mean all streets, roads, highways, and related structures as have been, or shall be, built and maintained with appropriated funds of the United States and which have been, or shall be, built and maintained with funds of the State of Montana, or any political subdivision thereof, or which have been or shall be dedicated to public use or have been acquired by eminent domain";

And as amended, do pass.

That House Bill No. 333 do pass.

That House Bill No. 200 do pass.

That the Committee rise and report progress and beg leave to sit again.

RAUNDAL, Chairman.

Report adopted.

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Raundal of Petroleum in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 203 be passed until the end of the day.

That House Bill No. 327 do pass.

That the Committee rise and report progress and beg leave to sit again.

RAUNDAL, Chairman.

Report adopted.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 209, 174 and 190, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

February 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 327.

HARPER.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be amended as follows:

Amend the title by deleting in lines 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, page 1 of the original bill, the comma and the following words and punctuation: "and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the state of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds."

Amend section 3 in line 19, page 2 of the original bill by deleting the word "elective" and inserting in lieu thereof the word "appointive".

Further amend section 3 in line 24, page 2 of the original bill by deleting the word "elective" and inserting in lieu thereof the word "appointive".

Amend section 5 in lines 30 and 31, page 3 of the original bill by deleting the words "The growers shall elect by majority vote by written ballot" and inserting in lieu thereof the words "The governor shall appoint".

Further amend section 5 in line 15, page 4 of the original bill by deleting the word "elected" and inserting in lieu thereof the word "appointed".

Further amend section 5 in line 21, page 4 of the original bill by deleting the word "elected" and inserting in lieu thereof the word "appointed".

Further amend section 5 in line 23, page 4 of the original bill by deleting the word "elected" and inserting in lieu thereof the word "appointed".

Further amend section 5 by deleting everything in lines 14 through 32, page 5 of the original bill, everything in lines 1 through 32 of page 6 of the original bill, and everything in lines 1 through 8 of page 7 of the original bill, and inserting in lieu thereof the following words and punctuation: "The governor shall, with the advice and consent of the senate, appoint committee members for terms of five (5) years, except that the terms of the first members appointed shall be as follows:"

Further amend section 5 by inserting between lines 15 and 16, page 7 of the original bill the following words and punctuation: "No more than four (4) appointed members of the committee may be of the same political party. Members appointed to fill unexpired terms shall be appointed for the remainder of the unexpired term."

Amend section 6 by deleting in line 22, page 7 of the original bill, the comma and the words "out of said Wheat Research and Marketing Revolving Fund".

Amend section 7 by deleting in line 2, page 8 of the original bill the word "elected" and inserting in lieu thereof the word "appointed".

Amend section 13 by deleting in lines 25 and 26, page 10 of the original

bill, the words "to the Wheat Research and Marketing Revolving Fund as hereinafter set forth," and inserting in lieu thereof the words "in the earmarked revenue fund."

Further amend section 13 by deleting in lines 9 and 10, page 11 of the original bill, the comma and the words "less one percent (1%) of the amount paid by and collected from such grower."

Amend section 17 by deleting in lines 12 through 18, page 12 of the original bill, the following words "There is hereby established in the custody of the State Treasurer of the State of Montana a revolving fund, hereby designated 'Wheat Research and Marketing Revolving Fund.' The State Treasurer and the State Auditor are hereby directed to open upon their respective books of revolving accounts an account for said fund under its title as aforesaid. There shall be placed in such fund," and inserting in lieu thereof the following words, figures and punctuation: "(1) Except as provided in subsection (2) of this section, there shall be deposited in the earmarked revenue fund, to be used in defraying the expenses of administering this act, the following moneys:"

Further amend section 17 by deleting everything in lines 23 through 32, page 12 of the original bill, and everything in lines 1 through 5, page 13 of the original bill, and substituting therefor the following words, figures and punctuation: "(2) There shall be transferred to the general fund one percent (1%) of all such moneys collected, after the payment of any refunds to growers rejecting the benefits of this act."

Amend section 22 by deleting the period at the end of line 25 and adding the following: "for a period of seven (7) years."

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 be amended as follows: In line 6, page 2, section 1 of the original bill following the words "and who" by inserting the words: "without cause",

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass, but that

Substitute House Bill No. 290: A bill for an act entitled: "An act to amend sections 26-201 and 26-320, R. C. M. 1947, by including mourning doves within the definition of migratory game birds and allowing the fish and game commission to open the season and prescribe bag limits for mourning doves in any county of the state; providing for public hearing if more than ten written complaints are filed with the fish and game commission protesting an open season on doves in any county; providing for penalty."

Do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do not pass, but that

Substitute House Bill No. 168: A bill for an act entitled: "An act to require the fish and game commission to grant preference to applicants for a special antelope license who did not receive an antelope license during the preceding year; and providing penalty for false application."

Do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do not pass, but that

Substitute House Bill No. 206: A bill for an act entitled: "An act to require nonresident big game hunters to be guided by a licensed outfitter or a resident guide or landowner or lessee; exceptions; providing for issuance of resident guiding permits; and providing for penalty for violation of act."

Do pass.

PIERCE, Chairman.

Report adopted.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 200.

MURRAY, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 289 be removed from General Orders and rereferred to the Committee on Fish and Game. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 327 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 87.

Noes: Hanks, Harper. Total 2.

Absent or not voting: Garrison, Jensen, Judge. Total 3.

Excused: Hazelbaker, Johnson. Total 2.

House Bill No. 200 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve,

Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 90.

Noes: None.

Absent or not voting: Jensen, Judge. Total 2.

Excused: Hazelbaker, Johnson. Total 2.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 38 and 72 and House Joint Memorial No. 1.

SELSTAD.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 72 introduced by me and find the same to be correct.

TURNAGE.

I have examined House Joint Memorial No. 1 introduced by me and find the same to be correct.

JENSEN.

The Speaker Pro Tem signed the following bills in open session, the titles having first been read: House Bills Nos. 28 and 72 and House Joint Memorial No. 1.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 333 and 171.

HARPER.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Raundal of Petroleum in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 203 be placed at the bottom of the calendar.

That House Joint Resolution No. 10 do pass.

That House Bill No. 119 do pass.

That Senate Bill No. 49 be concurred in.

That House Bill No. 203 be amended in Section 3 by striking out in line 5, page 2 of the printed bill, being line 10, page 2 of the original bill, beginning with the word "At" and ending with the word "Montana" on line 9, page 2 of the printed bill, being line 14, page 2 of the original bill;

Be further amended in Section 3 by striking out in line 17, page 2 of the original bill, being line 12, page 3 of the printed bill, beginning with the words "The lawyers" and ending with the words "Montana Bar Association" on line 19 page 2 of the original bill, being line 14, page 3 of the printed bill, and inserting in lieu thereof the words "Any lawyer actively engaged in the practice of law in the State of Montana or members of the faculty of the Montana University Law School may submit an application to the supreme court indicating a desire to serve on such commission. The supreme court shall select members of the commission from among the applicants.";

And as amended, do pass.

RAUNDAL, Chairman.

Report adopted.

Extension of time was granted on the following: House Bills Nos. 10, 16, 42, 71, 80, 94, 101, 124, 132, 133, 136, 152, 175, 183, 192, 198, 222, 262, 264, 275, 320, 332, 337, 365, 374, 380, 385, 396, 397 and 141.

Motion was made by Blewett that the House adjourn until 9:30 a.m., Saturday, February 2, 1963. Motion carried.

House adjourned.

FRED O. BROEDER, Speaker Pro Tem.

WILLIAM WALRATH, Chief Clerk.

TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 2, 1963

House convened, pursuant to adjournment, at 9:30 a.m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Smiley and Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the journal for the Twenty-sixth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

February 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 119 and House Joint Resolution No. 10.

HARPER.

February 1, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 62, 75, 85, 114, 38, 72, 74, 50 and 47, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and

the President of the Senate, were this day, at the hour of 4 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman.

February 1, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Joint Resolution No. 1 and House Joint Memorial No. 1, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman.

February 1, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 254, 366, 279 and 270, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 2, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 162, 400, 238, 300, 240 and House Joint Resolution No. 6, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do not pass.

REINECKE, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

REINECKE, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

REINECKE, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

REINECKE, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do pass.

REINECKE, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be concurred in as amended.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do not pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: Having had under consideration the motion of the gentleman from Blaine that the Rules Committee consider and recommend possible change of the rules pertaining to first and second reading of bills, beg leave to report that your committee has considered the motion and possible changes, including the Legislative Council's recommendation in regard to the first and second reading of bills; said committee has further discussed the matter with the executive secretary of said board.

Your committee further begs leave to report that the present use of status reports accomplishes, in part, the recommendations of the Legislative Council, and because of this fact and the further fact that very little, if anything, could be accomplished in this legislative session by adopting any amendment, your committee recommends that no amendment to the rules of the 38th Legislative Assembly pertaining to reading of bills be adopted.

BLEWETT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 8 introduced by Melcher, Brenner, Dussault, James, Durkee, Mackay, Groff.

Senate Bill No. 33 introduced by Schoonover, Siderius, Ullom.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 36 introduced by Bardanouve and Gill.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that Substitute House Bill No. 52 be taken from the Committee on Judiciary and rereferred to the Committee on State Administration. Eskildsen requested a roll call vote, the results thereof to be spread on the Journal. Sufficient seconds arose, and the motion failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Murray, O'Hair, Osburnsen, Raundal, Rear-den, Regan, Rosell, Schepens, Shelden, Slaby, Stranahan, Tooke, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 38.

Noes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Turnage, Weeks, Woodard, Wright. Total 54.

Absent or not voting: None.

Excused: Smiley, Mr. Speaker. Total 2.

Motion was made by Blewett that House Bill No. 279 be taken from the Committee on Affairs of Cities and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Blewett that House Bill No. 280 be taken from the Committee on Education and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Blewett that House Bill No. 281 be taken from the Committee on Townships and Counties and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Blewett that House Bill No. 358 be taken from the Committee on State Administration and rereferred to the Committee on Ways and Means. Motion carried.

Motion was made by Blewett that House Bill No. 359 be taken from the Committee on State Administration and rereferred to the Committee on Ways and Means. Motion carried.

Motion was made by Blewett that House Bill No. 360 be taken from the Committee on State Administration and rereferred to the Committee on Ways and Means. Motion carried.

HOUSE RESOLUTION NO. 3

Introduced by Haines, Goan.

A resolution of the House of Representatives of the Thirty-eighth Legislative Assembly of the state of Montana directing that the state purchasing agent purchase a new roll call voting machine from a different manufacturer and of a different make and model; that the contract for the servicing and maintaining of the present roll call voting machine be terminated and the machine removed forthwith; that there be deducted from any amounts due to the person, firm or corporation presently responsible for servicing and maintaining the present voting machine certain amounts for each day during this thirty-eighth legislative assembly said roll call voting machine has failed to function or has malfunctioned. Referred to Committee on Legislative Administration.

Garrison, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House

Bill No. 64 and that House Bill No. 64 be printed and placed on General Orders. Goan requested a roll call vote, the results thereof to be spread on the Journal. Sufficient seconds arose, and the motion carried by the following vote:

Ayes: Aasheim, Adams, Baldwin, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schye, Shelden, Slaby, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard. Total 70.

Noes: Asbjornson, Bailey, Bardanouve, Blewett, Broeder, Etchart, Flynn, Gill, Holtz, Jenkins, Jensen, Kvaalen, Nutting, Rearden, Schepens, Selstad, Seymour, Stranahan, Welch, Wright, Zimmer. Total 21.

Absent or not voting. Murray. Total 1.

Excused: Smiley, Mr. Speaker. Total 2.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 8, introduced by Melcher, Brenner, Dussault, James, Durkee, Mackay, Groff: A bill for an act entitled: "The Legislative Audit Act' creating a legislative audit committee and the office of legislative auditor and providing for the audit of state agencies by the legislative auditor; Amending sections 82-1002, 82-1005, 82-1007, 82-1009, 82-110, 71-206, 4-347, 4-230, 4-231 and 5-910, R. C. M. 1947; Repealing sections 82-1014, 82-1015, 82-1016, 79-504, 84-4403, 84-4404, 84-4405 and 89-403, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 33, introduced by Schoonover, Siderius, Ullom: A bill for an act entitled: "An act relating to the nursing practice act, increasing fees for license and renewal of license for professional registered nurses and licensed practical nurses; amending sections 66-1228, 66-1234, and 66-1236, R. C. M. 1947." Referred to Committee on Public Health, Welfare and Safety.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 90.

Noes: None.

Absent or not voting: Haughey, Laas. Total 2.

Excused: Smiley, Mr. Speaker. Total 2.

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that consideration of House Bill No. 333 be passed for the day. Motion carried.

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 171 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 91.

Noes: None.

Absent or not voting: Laas. Total 1.

Excused: Smiley, Mr. Speaker. Total 2.

House Bill No. 119 was passed by the following vote:

Ayes: Aashiem, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Crum, Deschamps, Dykstra, East, Egan, Etchart, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smith, Spilde, Stranahan, Swanz, Thompson, Turnage, Weeks, Welch. Total 57.

Noes: Bardanouve, Bashor, Bradford, Brenner, Casey, Cummings, Davis, Eskildsen, Falkenstern, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Lewis, Lombardi, Lucas, Nelson, Rearden, Schepens, Shelden, Slaby, Spahr, Tooke, Tracy, Twedt, Watt, Wayrynen, Woodard, Wright, Zimmer. Total 34.

Absent or not voting: Laas. Total 1.

Excused: Smiley, Mr. Speaker. Total 2.

House Joint Resolution No. 10 failed to pass by the following vote:

Ayes: Asbjornson, Beam, Beck, Crum, Deschamps, Goan, Haines, Haughey, Hawks, Jenkins, Johnson, Keller, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Spahr, Swanz, Thompson, Tooke, Tracy, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer. Total 40.

Noes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jensen, Judge, Kvaalen, Laas, Lewis, Lombardi, Murray, Nichols, Nutting, O'Hair, Raundal, Rearden, Schepens, Seymour, Shelden, Slaby, Smith, Spilde, Stranahan, Turnage, Twedt, Welch. Total 52.

Absent or not voting: None.

Excused: Smiley, Mr. Speaker. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Selstad of Cascade in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 193 do pass.

That House Bill No. 226 do pass.

That House Bill No. 189 do pass.

That House Bill No. 221 do pass.

That House Bill No. 283 do pass.

That House Bill No. 291 do pass.

That consideration of House Bill No. 22 be placed at the bottom of the calendar.

That House Bill No. 209 do pass.

That further consideration of House Bill No. 174 be passed for the day.

That House bill No. 190 be amended in the title by striking out in line 10 of the original bill, being line 6 of the printed bill, the word and figures "ten (10)"; and inserting in lieu thereof the word and figures "five (5)";

Be further amended in section 1 by striking out in line 2, page 2 of the original bill, being line 17, page 2 of the printed bill, the word and figures "ten (10)"; and inserting in lieu thereof the word and figures "five (5)";

And as amended, do pass.

That House Bill No. 69 be amended in section 2 by striking out in lines 2 and 3, page 2 of the original bill, being line 5, page 2 of the printed bill, the words and figures "thirteen thousand five hundred dollars (\$13,500.00)" and inserting in lieu thereof the words and figures "fifteen thousand dollars (\$15,000.00)";

And as amended, do pass.

That further consideration of House Bill No. 22 be passed for the day.

SELSTAD, Chairman.

Report adopted.

February 2, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 342, 252, 318 and House Joint Memorial No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett for the purpose of correcting the previous motion, that House Bill No. 279 be taken from General Orders and referred to the Committee on Judiciary. Motion carried.

Motion was made by Keller that House Bill No. 274 be taken from the Committee on Public Health, Welfare and Safety and rereferred to the Committee on State Administration. Motion carried.

Motion was made by Blewett that the House adjourn until 12:00 noon, Monday, February 4, 1963. Motion carried.

House adjourned.

FRED O. BROEDER, Speaker Pro Tem.

WILLIAM WALRATH, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 4, 1936

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Shelden and Slaby, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

February 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 203.

HARPER.

February 4, 1936

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 291, 193, 226, 189, 69, 283, 221, 209 and 190.

HARPER.

February 4, 1936

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 176, 195, 301, 244, 242, 157, 246, 390, 160 and Substitute House Bill No. 168, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 4, 1936

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 251 and House Joint Memorial No. 10, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 be amended as follows:

That the following section, to be designated as Section 2, be added to said bill immediately following Section 1:

"Section 2. Provision for Administration. The State Department of Public Welfare is hereby authorized and is charged with the general administration and supervision of this Act under the powers, duties, and functions as prescribed in Sections 71-201 to 71-240 inclusive, R.C.M. 1947.

The County Department of Public Welfare shall be charged with the local administration and supervision of medical assistance for the aged, subject to the powers, duties and functions prescribed for the county departments in Sections 71-201 to 71-240 inclusive, R.C.M. 1947."

That Section 2 in line 15 of the original bill be changed to Section 3.

That in line 24, page 1 of the original bill, the words "annual period" be stricken, and the words "calendar year" be inserted in lieu thereof.

That in line 27, page 1 of the original bill, the words "five (5) years during the nine (9) years" be stricken and the words "one (1) year" be inserted in lieu thereof.

That line 2, page 2 of the original bill, the word "phychosis" be stricken and the words "mental illness" be inserted in lieu thereof.

That the following subsections e, f and g be added as new subsections at the end of subsection d, line 2, page 2:

(e) Is not eligible to receive old age assistance, aid to the permanently and totally disabled or aid to the needy blind.

(f) Is in need of medical care and services available under the act, such need having been determined by a licensed physician and surgeon (medical doctor), dentist, osteopath, chiropractor, optometrist.

(g) He has not made a voluntary assignment or transfer of property for the purpose of rendering himself eligible for assistance under this act at any time within two (2) years immediately prior to the filing of an application for assistance under this act.

That line 3, page 2 of the original bill, Section 3 be changed to Section 4.

That in line 6, page 2 of the original bill, Section 4 be changed to Section 5.

That in line 7, page 2 of the original bill, the word "state" be stricken and the word "county" be inserted in lieu thereof.

That in line 10, page 2 of the original bill, the words "each county" be stricken and in lieu thereof the words "the state" be inserted.

That in line 10, page 2 of the original bill, the word "public" be inserted immediately prior to the word "welfare".

That in line 11, page 2 of the original bill, the word "state" be stricken therefrom and the word "county" inserted in lieu thereof.

That in line 13, page 2 of the original bill, the word "state" be stricken therefrom and the word "county" inserted in lieu thereof.

That in line 14, page 2 of the original bill, the word "revenue" be added after the word "aged".

That in line 16, page 2 of the original bill, Section 5 be changed to Section 6.

That in line 23, page 2 of the original bill, Section 6 be changed to Section 7.

That in line 32, page 2 of the original bill, Section 7 be changed to Section 8.

That in line 6, page 3 of the original bill, Section 8 be changed to Section 9.

That in line 5, page 1 of the original bill, the following words be inserted after the word "assistance":

Providing for the administration of the act by the State Department of Public Welfare and the County Department of Public Welfare;

That in line 4, page 2 of the original bill, the words "nature and" be stricken.

That in line 5, page 2 of the original bill, the words "to be paid for as" be added immediately after the word "services".

And as amended, do pass.

KELLER, Chairman.

Report adopted.

The Speaker signed the following bills in open session, the titles having first been read: Senate Joint Resolution No. 1, Senate Joint Memorial No. 1, and Senate Bills Nos. 21, 37, 49 and 50.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 be amended as follows:

Line 3, page 2 of the original bill by striking the words "use of railroad or bus required if suitable," and by adding a "period" after the word "amount".

Line 17, page 2 of the original bill by striking the following words: "Provided, further, that in no case shall an automobile or airplane be used as herein provided if suitable transportation can be had by railroad or bus.";

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 be amended as follows:

In line 18, page 7 of the original bill, being line 91, page 8 of the printed bill, substitute a comma for the period and add the following material:

"provided that the city or parking commission shall be prohibited from engaging in the sale of gasoline or other supplies, the cleaning, repairing or servicing of vehicles, and the operation of any other commercial enterprise on the premises except the parking and delivery of vehicles.";

And as amended, do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 be amended as follows:

Line 11, page 1 of the original bill, substitute the words and figures "Ten Dollars (\$10.00)" in lieu of the words and figures "Twelve Dollars (\$12.00)";

Line 28, page 1 of the original bill, substitute the words and figures "Ten Dollars" (\$10.00)" in lieu of the words and figures "Twelve Dollars (\$12.00)";

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 54 introduced by Rieder

Senate Bill No. 113 introduced by Moberly, O'Neill, DeWolfe, Breen

Senate Bill No. 125 introduced by Mahoney, McElwain

Senate Bill No. 134 introduced by Cotton, Hauk, Hafferman

Senate Bill No. 156 introduced by Mahoney, Cumming, Durkee

Senate Bill No. 164 introduced by Dussault

Senate Bill No. 197 introduced by Nees, Keller, Mackay, Hauk

Senate Bill No. 208 introduced by Cook

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 90 introduced by Hibbard, Tooke, Smith, Hazelbaker, Hanks, Bardanouve and Judge

House Bill No. 147 introduced by Hawks and Nichols

House Bill No. 148 introduced by Hawks and Nichols

House Bill No. 149 introduced by Hawks and Nichols

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 313 be taken from the Committee on Ways and Means and rereferred to the Committee on Highways. Motion carried.

Motion was made by Blewett that House Bill No. 314 be taken from the Committee on Ways and Means and rereferred to the Committee on Highways. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 13, introduced by Goan: A joint resolution of the Senate and the House of Representatives petitioning the Congress of the United States to call a convention for the purpose of amending the Constitution to provide for the election of the president and vice president in a manner fair and just to the people of the United States unless Congress shall have sooner submitted such an amendment. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Memorial No. 16, introduced by Goan: A joint memorial of the Senate and House of Representatives requesting the Congress of the United States to propose an amendment to the constitution of the United States to provide for the appointment of electors for the president and vice president on a basis similar to the election of members of Congress. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 54, introduced by Rieder: A bill for an act entitled: "An act amending section 28-105, R.C.M. 1947, to require that before a forest fire protection district may be created a hearing shall be held after notice given to all owners to be affected and to require approval thereof by no less than 75% of the owners representing at least 51% of the acreage included in the proposed district; and providing an effective date." Referred to Committee on Livestock and Ranges.

Senate Bill No. 113, introduced by Moberly, O'Neill, DeWolfe, Breen: A bill for an act entitled: "An act amending section 81-1705, Revised Codes of Montana, 1947, to allow semi-annual payment of royalties on state oil and gas leases." Referred to Committee on Business and Industry.

Senate Bill No. 125, introduced by Mahoney, McElwain: A bill for an act entitled: "An act to amend chapter 32 of Title 94 of the Revised Codes of Montana, 1947, relating to crimes involving malicious injuries to railroads, highways and other property, by adding thereto a new section to be numbered 94-3211, making it a felony for any person to wilfully displace, remove, injure or destroy any public telephone instrument or part thereof or equipment or facilities associated therewith, or to enter or break into any coin box associated therewith, or to wilfully displace, remove, injure or destroy any telegraph or telephone line, wire, cable,

pole or conduit or electric power line, cable, pole, conduit or facilities associated therewith belonging to another or the material or property appurtenant thereto, and providing a penalty therefore, and by amending section 94-3203 of the Revised Codes of Montana, 1947, making it a misdemeanor to tamper with telegraph, telephone and electric systems, by deleting therefrom so much thereof as makes it a misdemeanor for any person to wilfully and maliciously displace, remove, injure, destroy or obstruct any telegraph, telephone or electric light line, wire, cable, pole or conduit belonging to another, or the material or property appurtenant thereto, and providing it shall be a misdemeanor to wilfully or maliciously cut, break or tamper with electric power lines; repealing section 94-3209 of the Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 134, introduced by Cotton, Hauk, Hafferman: A bill for an act entitled: "An act to amend section 75-1802, Revised Codes of Montana, 1947, relating to classifications of school districts and providing that three times the number of school census children may be used to compute the population of the school district in the year the federal census is taken." Referred to Committee on Education.

Senate Bill No. 156, introduced by Mahoney, Cumming, Durkee: A bill for an act entitled: "An act to amend section 71-123, Revised Codes of Montana, 1947, pertaining to headstones for deceased veterans and the expense of setting up each stone." Referred to Committee on Townships and Counties.

Senate Bill No. 164, introduced by Dussault: A bill for an act entitled: "An act to amend section 32-21-146, R.C.M. 1947, to define "excessive or unusual noise." Referred to Committee on Highways.

Senate Bill No. 197, introduced by Nees, Keller, Mackay, Hauk: A bill for an act entitled: "An act to amend section 16-2420, R.C.M. 1947, which pertains to the powers of boards of county commissioners to designate the class to which their counties belong and which authorizes such designation every four years; to provide that boards of county commissioners shall designate the class to which their counties belong at their regular session in September, 1963, and each two years thereafter." Referred to Committee on Townships and Counties.

Senate Bill No. 208, introduced by Cook: A bill for an act entitled: "An act to amend section 23-507, R.C.M. 1947, to require the office of the county clerk to be open for registration of voters between the hours of eight a.m. and five p.m." Referred to Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 333 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 66.

Noes: Aasheim, Bardanouve, Bashor, Bradford, Brenner, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Laas, Lewis,

Lombardi, O'Hair, Osburnsen, Raundal, Tracy, Twedt, Wayrynen, Zimmer. Total 25.

Absent or not voting: Jensen. Total 1.

Excused: Shelden, Slaby. Total 2.

House Bill No. 203 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 77.

Noes: Badranouve, Cummings, Davis, Egan, Eskildsen, Harper, Healy, Johnson, Keller, Lombardi, Raundal, Schepens, Tracy, Wayrynen, Zimmer. Total 15.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 291 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 72.

Noes: Bardanouve, Bradford, Brenner, Broeder, Crum, Egan, Goan, Harper, Hemstad, Keller, Kvaalen, Leuthold, Lund, Lundgren, Murray, O'Hair, Smiley, Stranahan, Thompson, Mr. Speaker. Total 20.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 193 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 89.

Noes: Boughton, Nutting, Zimmer. Total 3.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 226 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: Lass. Total 1.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 189 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkentsern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bradford, Brenner, Harper, Jensen, O'Hair. Total 5.

Absent or not voting: Weeks. Total 1.

Excused: Shelden, Slaby. Total 2.

House Bill No. 69 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Good, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Watt, Weeks, Woodard, Wright, Mr. Speaker. Total 68.

Noes: Aasheim, Bashor, Boughton, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Haines, Hanks, Johnson, Laas, Lewis, Lombardi, Northey, O'Hair, Raundal, Smiley, Thompson, Twedt, Wayrynen, Welch, Zimmer. Total 24.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 283 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey,

Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: Harper. Total 1.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 221 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Blewett, Kvaalen, Lombardi, Murray, Raundal. Total 5.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 209 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 75.

Noes: Bradford, Dykstra, Eskildsen, Harper, Healy, Hibbard, Kvaalen, Lombardi, Nutting, O'Hair, Osburnsen, Raundal, Schepens, Spahr, Stranahan, Wayrynen, Zimmer. Total 17.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

House Bill No. 190 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren,

Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Stranahan, Swanz, Thmopson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Boughton, Haughey, Smiley, Wayrynen. Total 4.

Absent or not voting: None.

Excused: Shelden, Slaby. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the following rules: First—each speaker upon a motion to be limited to five minutes; second—no member to speak more than once on a motion, except the maker of the motion who shall have an extra five minutes to close the debate. Motion carried.

Harper of Park in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 174 do pass.

That House Bill No. 22 do pass.

That consideration of House Bill No. 254 be placed at the bottom of the calendar.

That House Bill No. 366 do pass.

That consideration of House Bill No. 270 be passed for the day.

That House Joint Resolution No. 6 do pass.

That House Bill No. 162 do pass.

That House Bill No. 400 do pass.

That House Bill No. 238 do pass.

That House Bill No. 300 be amended in the title by striking out in line 13 of the original bill, being lines 7 and 8 of the printed bill, the words "and providing an effective date";

Be further amended in Section 2 by striking that section in its entirety;

And as amended, do pass.

That consideration of House Bill No. 240 be placed at the bottom of the calendar.

That Senate Amendments to House Bill No. 36 be concurred in.

That House Bill No. 342 do pass.

That House Bill No. 252 do pass.

That House Bill No. 318 do pass.

That House Joint Memorial No. 12 do pass.

That Senate Bill No. 47 be concurred in.

That Senate Bill No. 48 be concurred in.

That consideration of House Bill No. 254 be passed for the day.

That House Bill No. 240 do pass.

Report adopted.

HARPER, Chairman

Motion was made by Blewett that the House adjourn until 10:00 a.m., Tuesday, February 5, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 5, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain

On roll call all members were present except Aasheim and McNamer, excused; Sheldon.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 5, 1963

Mr. Speaker We, your committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 400, 300, 342, 318, 366, 240, 252, 238, 162, 174, House Joint Resolution No. 6 and House Joint Memorial No. 12.

HARPER

February 5, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 303, 210, 273, 183, Substitute House Bill No. 290 and House Joint Memorial No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 4, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 64 and 339, Substitute House Bill No. 206 and House Joint Memorial No. 11, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Legislative Administration recommend the following be employed by the House:

Mrs. Gladys A. Ferrat — Typist

Report adopted.

NICHOLS, Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

SCHYE, Chairman

Report adopted.

Mr. Chairman: We, your Committee on Ways and Means, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 no not pass.

DYKSTRA, Chairman

Motion was made by Dykstra for adoption of the committee report.

Substitute motion was made by Wayrynen that House Bill No. 129 be printed and placed on General Orders. Substitute motion failed to carry. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 be amended as follows:

Amend in line 11, page 1 of the original bill, by striking the word "INTERIOR" and inserting in lieu thereof the word "AGRICULTURE"

And further amend the title, by striking out in lines 11 and 12 of the original bill, following the word "STATES", the words "BUREAU OF LAND MANAGEMENT" and inserting in lieu thereof the words "FOREST SERVICE."

And further amend on page 2, lines 18 and 19 of the original bill, by striking the words "Interior, and to the United States Bureau of Land Management" and inserting in lieu thereof the words "Agriculture, and to the United States Forest Service."

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 be amended as follows:

By inserting in line 10 of the title of the original bill, following the word "WATER", the semi-colon and the following words: "; AND PROVIDING AN EFFECTIVE DATE."

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do pass.

REINECKE
BECK
BASHOR
TWEDT
CRUM
HEALY
BRADFORD
REARDEN
SCHEPENS

Motion was made by Reinecke for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do not pass.

KELLER, Chairman
SELSTAD
BALDWIN
NASH
HAINES
WEEKS

Substitute motion was made by Keller for adoption of the Minority report. After debate, Lucas moved the previous question. Motion carried. Substitute motion carried. Minority report adopted.

MESSAGES FROM GOVERNOR AND SENATE

February 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 26 introduced by Judiciary Committee

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 30, introduced by Schoonover, Ullom, McKeon, Hauk, Siderius

Senate Bill No. 112, introduced by Mahoney, McElwain

Senate Bill No. 165, introduced by Huntley, Carney, Cumming

Senate Bill No. 210, introduced by Grieve, Dussault

Senate Joint Memorial No. 4, introduced by McElwain

Senate Joint Memorial No. 5, introduced by Grieve, Stein, Bovey, Beley, McDonnell

Senate Joint Resolution No. 12, introduced by Groff, Beley, Dussault, Schoonover, McKeon, Balgord, Hilling, O'Neill

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 108, introduced by Keller and Haines

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 91, introduced by Bailey, Welch, Zimmer, Tracy, Northey

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence

by the Committee on Fish and Game, report adopted, and the same is herewith returned to the House:

House Bill No. 65 introduced by Goan, Bailey, Smith, Hibbard, Hanks, Seymour, Tracy, Jenkins, Spilde and Haughey

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 2, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Joint Memorial No. 1 — Introduced by Gill, et al

House Bill No. 38 — Introduced by Keller and Holtz

House Bill No. 47 — Introduced by Leuthold, et al

House Bill No. 50 — Introduced by Leuthold, et al

House Bill No. 62 — Introduced by Business and Industry Committee

House Bill No. 72 — Introduced by Turnage, et al

House Bill No. 74 — Introduced by Leuthold

House Bill No. 75 — Introduced by Leuthold

House Bill No. 85 — Introduced by Appropriations Committee

House Bill No. 114 — Introduced by Hibbard, Haughey

Yours Truly,

TIM BABCOCK
Governor

February 5, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 112, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 402, introduced by Adams, Bardanouve: A bill for an act entitled: "An act appropriating moneys to the state forester for the fiscal year ending June 30, 1963." Referred to Committee on Appropriations.

Senate Substitute for House Bill No. 26, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 41, Chapter 13, Session Laws of Montana, 1961, being Rule 41, M.R. CIV.P. relating to dismissal of actions, by adding a new sub-section." Referred to Committee on Judiciary.

Senate Bill No. 30, introduced by Schoonover, Ullom, McKeon, Hauk, Siderius: A bill for an act entitled: "An act to amend sections 69-3502 and 69-3505, Revised Codes of Montana, 1947, relating to motorboat and vessel regulation. Providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 112, introduced by Mahoney, McElwain: A bill for an act entitled: "An act to amend chapter 13, section 12, rule 12, Laws of Montana, 1961, Montana Rules of Civil Procedure, relating to motions covering defenses and objections." Referred to Committee on Judiciary.

Senate Bill No. 165, introduced by Huntley, Carney, Cumming: A bill for an act entitled: "An act prohibiting the defense of sovereign immunity where public bodies are insured: Repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 210, introduced by Grieve, Dussault: A bill for an Act Entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by chapter 217 of the Session Laws of 1961, relating to the extension of boundaries of cities; providing the procedure for such extension by cities of the first class; providing that city councils of cities of the first class may not, without petition, consider or act upon any resolution of annexation within one year after the disapproval of a prior resolution relating to the same territory or any portion thereof; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

Senate Joint Memorial No. 4, introduced by McElwain: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States; to the President of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; and to the Secretary of the Treasury of the United States; urging passage of legislation to authorize and allow the various states to impose taxes on national banks doing business in the state seeking such taxation; and to waive the immunity of national banks to state taxation at least to the extent that state banks are taxed in such state or states. Referred to Committee on Business and Industry.

Senate Joint Memorial No. 5, introduced by Grieve, Stein, Bovey, Beley, McDonnell: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation, and the Bureau of Public Roads, Department of Commerce of the United States of America requesting that the United States of America through the Bureau of Public Roads, Department of Commerce participate in the cost as authorized by the laws of the United States, in the replacement of adequate pipes underneath any state federal aided highway or interstate highway used for irrigation, and the replacement of other irrigation facilities destroyed or disturbed by the construction of said highways. Referred to Committee on Highways.

Senate Joint Resolution No. 12, introduced by Groff, Beley, Dussault, Schoonover, McKeon, Balgord, Hilling, O'Neill: A Joint Resolution of the Senate and House of Representatives directing the State Water Conservation Board to transfer administrative control of Dead Man's Basin and the Painted Rocks Reservoir to the Highway Commission for development of state parks or recreation areas. Referred to Committee on Highways.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 47 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bashor, Stranahan. Total 2.

Absent or not voting: Eskildsen, Goan, Jensen, Shelden, Murray. Total 5.

Excused: McNamer. Total 1.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Murray, Shelden. Total 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 36 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Murray, Shelden. Total 2.

Excused: McNamer. Total 1.

House Bill No. 400 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Keller. Total 1.

Absent or not voting: Murray, Shelden. Total 2.

Excused: McNamer. Total 1.

House Bill No. 300 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Beam, Boughton, Bradford, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Hawks, Healey, Hemstad, Hibbard, Holtz, Johnson, Judge, Leuthold, Lewis, Lombardi, Lundgren, Nash, Nelson, Northey, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Shelden, Slaby, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard. Total 53.

Noes: Aasheim, Adams, Baldwin, Blewett, Brenner, Broeder, Casey, East, Eskildsen, Etchart, Garrison, Goan, Harper, Haughey, Jenkins, Jensen, Keller, Kvaalen, Laas, Lucas, Lund, Mathers, Nichols, Nutting, O'Hair, Reinecke, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Turnage, Wright, Zimmer, Mr. Speaker. Total 39.

Absent or not voting: Murray. Total 1.

Excused: McNamer. Total 1.

House Bill No. 342 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Davis, East, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Aasheim, Boughton, Broeder, Cummings, Deschamps, Falkenstern, Goan, Haughey, Lundgren, Raundal, Reinecke, Smiley, Smith, Stranahan. Total 14.

Absent or not voting: Jenkins, Murray. Total 2.

Excused: McNamer. Total 1.

House Bill No. 318 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskild-

sen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Murray, Nelson. Total 2.

Excused: McNamer. Total 1.

House Bill No. 366 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Nash, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Adams, Baldwin, Broeder, East, Etchart, Goan, Haughey, Jenkins, Keller, Kvaalen, Lucas, Mathers, Selstad, Smiley. Total 14.

Absent or not voting: Murray, Nelson. Total 2.

Excused: McNamer. Total 1.

House Bill No. 240 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Aasheim, Bardanouve, Goan, Keller, Laas, Raundal, Smiley. Total 7.

Absent or not voting: Jenkins, Murran, Nelson. Total 3.

Excused: McNamer. Total 1.

House Bill No. 252 was passed by the following vote:

Ayes: Aasheim, Adams, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Crum, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, Nash, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 70.

Noes: Bailey, Bradford, Brenner, Casey, Cummings, Flynn, Goan, Harper, Kvaalen, Lombardi, O'Hair, Raundal, Schepens, Slaby, Smiley, Spahr, Tracy, Twedt, Zimmer. Total 19.

Absent or not voting: Asbjornson, Garrison, Murray, Nelson. Total 4.

Excused: McNamer. Total 1.

House Bill No. 238 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, Nash, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Bardanouve, Boughton, Bradford, Haines, Johnson, Lombardi. Total 6.

Absent or not voting: Murray, Nelson. Total 2.

Excused: McNamer. Total 1.

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Johnson. Total 1.

Absent or not voting: Aasheim, Bradford, Cummings, Harper, Murray, Nelson, O'Hair, Raundal, Twedt. Total 9.

Excused: McNamer. Total 1.

House Bill No. 162 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: McNamer. Total 1.

House Joint Memorial No. 12 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: McNamer. Total 1.

House Bill No. 174 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Baldwin, Bashor, Beam, Beck, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Mathers, Nash, Nichols, Northey, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Shelden, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 53.

Noes: Adams, Bailey, Bardanouve, Blewett, Bradford, Brenner, Cummings, Davis, East, Egan, Eskildsen, Etchart, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lombardi, Lundgren, Murray, Nelson, Nutting, O'Hair, Raundal, Rearden, Schepens, Seymour, Slaby, Spahr, Thompson, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 40.

Absent or not voting: None.

Excused: McNamer. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous setting: Motion carried.

Hibbard of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 270 do pass.

That House Bill No. 254 be amended in Section 1 by striking out in line 13, page 1 of the original bill, being line 5, page 1 of the printed bill, the period, and inserting in lieu thereof a comma, and adding the words "upon authorization by the State Controller.";

Be further amended by adding thereto Section 3 as follows:

"Section 3. This act is effective from July 1, 1963, to June 30, 1965. On June 30, 1965, the existence of the commission shall cease, and all moneys of the commission shall be transferred to the state general fund.";

And as amended, do pass.

That House Bill No. 176 do pass.

That House Bill No. 195 do pass.

That House Bill No. 301 do pass.

That the Committee rise and report.

HIBBARD, Chairman

Report adopted.

Extension of time was granted on the following: House Bills Nos. 348, 265, 282, 287, 325, 336, 371 and 377.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 5, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 118, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 do pass.

WRIGHT, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Judiciary, reports adopted, and the same are herewith returned to the House:

House Bill No. 25, introduced by Judiciary

House Bill No. 27, introduced by Judiciary

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 5, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 65, introduced by Goan, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

Motion was made by Blewett that the House comply with the request of the Senate that House Bill No. 65 be returned to them for further consideration. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hibbard of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 244 do pass.

That House Bill No. 242 do pass.

That House Bill No. 157 do pass.

That House Bill No. 246 do pass.

That House Bill No. 390 do pass.

That the enacting clause be stricken from House Bill No. 160.

That consideration of Substitute House Bill No. 168 be passed for the day.

That House Bill No. 251 do pass.

That House Joint Memorial No. 10 do pass.

That Senate Bill No. 51 be concurred in.

That further consideration of House Bill No. 187 be indefinitely postponed.

HIBBARD, Chairman

Motion was made by Hibbard for adoption of the Committee report. Substitute motion was made by Wayrynen that House Bill No. 160 be segregated from the Committee of the Whole report. Wayrynen requested a Call of the House with the roll call vote results to be spread on the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. After roll call, progress having been reported, Wayrynen moved the Call of the House be dispensed with. Motion carried. Substitute motion to segregate House Bill No. 160 failed by the following vote:

Ayes: Bailey, Bardanouve, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lund, Nichols, Northey, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 39.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Dykstra, East, Etchart, Falkenstern, Garrison, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Leuthold, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Weeks, Woodard, Wright, Mr. Speaker. Total 52.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

Substitute motion was made by Eskildsen that House Bill No. 187 be segregated from the Committee of the Whole report. Eskildsen requested a roll call vote, the results thereof to be spread on the Journal. There being sufficient seconds, the substitute motion failed to carry by the following vote:

Ayes: Bardanouve, Bradford, Brenner, Cummings, Davis, Dykstra, Eskildsen, Good, Healy, Hibbard, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Osburnsen, Raundal, Schepens, Shelden, Slaby, Tracy, Turnage, Twedt, Watt, Wayrynen, Zimmer. Total 28.

Noes: Adams, Asbjornsen, Bailey, Baldwin, Bashor, Beam, Beck, Boughton, Broeder, Casey, Crum, Deschamps, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Haines, Hanks, Harper, Haughey, Hawks, Hemstad, Jenkins, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooks, Woodard, Wright, Mr. Speaker. Total 60.

Absent or not voting: Gill, Welch. Total 2.

Excused: Aasheim, Blewett, Goan, Thompson. Total 4.

Committee of the Whole report adopted.

February 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 270, 301, 176 and 195.

HARPER

February 5, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 211, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 90, 147, 148 and 149.

SELSTAD

February 5, 1963

I have examined House Bills Nos. 147, 148 and 149 introduced by me and find the same to be correct.

HAWKS

February 5, 1963

I have examined House Bill No. 90 introduced by me and find the same to be correct.

HIBBARD

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 148, 90, 147 and 149.

Motion was made by Blewett that the House recess until 4:45 p.m. this day. Motion carried.

House Recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Motion was made by Blewett that the House consider the report of the Special Committee on Classification and Appraisal as having been read in full. Motion carried.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 403, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to provide that the boards of county commissioners who have completed the classifications and appraisals required by sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, immediately assess local taxable property in accordance with the values and classes so determined; providing that the board of county commissioners must certify their actions in relation to said classification and appraisal to the State Board of Equalization; providing that each county assessor must base his assessments of all lands, city and town lots and all improvements in his county for the year 1964 on such classification and appraisal made by the board of county commissioners; providing that the county assessors must certify their action relative to such classification and appraisal to the State Board of Equalization; providing that the boards of county commissioners who have not done so, must complete the classification and appraisals required in sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, by December 31, 1963, and shall deliver the same to the county assessor; providing for a reduction in state school equalization funds for those counties who shall fail to comply; providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 404, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 16-1904, Revised Codes of Montana, 1947, relating to hearings on county budgets, adoption of county budgets and the fixing of tax levies by providing that the total amount to be raised by tax levy in county budgets, except bond interest and sinking funds, may not in any fiscal year exceed by more than five percentum the total amount raised by the tax levy during the immediately preceding fiscal year; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 405, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 11-1406, Revised Codes of Montana, 1947, relating to hearings on, and adoption of budgets and the fixing of tax levies by cities and towns by providing that the total amount to be raised by tax levy in the budget of cities and towns, except bond interest and sinking funds, may not in any fiscal year exceed by more than five percentum the total amount raised by tax levy during the immediately preceding fiscal year; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 406, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to provide that where any county has not completed the classification and appraisal program as provided in section 84-429.7, R.C.M. 1957, due to lack of funds, county commissioners may levy up to two mills (2) in the 1963-64 fiscal year to complete the program." Referred to Committee on Townships and Counties.

House Bill No. 407, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act empowering the State Board of Equalization to furnish to the State Board of Education annual

statements showing true values and assessments for each of the counties; amending Chapter 36, Title 75, Revised Codes of Montana, 1947, by adding a new section thereto providing that the total amount apportionable from the State Public School Equalization Fund to the school districts of each county shall be equalized according to the percentage by which the state ratio of assessments to true value exceeds the county ratio of assessments to true value, or the county ratio of assessments to true value exceeds the state ratio; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 408, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act directing the State Board of Equalization to determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization in apportioning assessments of railroad and utility properties and all other properties assessed by the state board, except net proceeds, shall reduce apportionments of such assessments to counties in which the ratio of assessments to true value is less than the state ratio, and shall increase assessments to counties whose ratios are not less than the state ratio; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments; providing that the county treasurer in such county in which the county ratio is less than the state ratio shall compute the taxes collected from milllevies on net proceeds assessments and shall remit to state treasurer for the general fund that percentage of such tax collection by which the state ratio exceeds the county ratio." Referred to Committee on Judiciary.

House Bill No. 409, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act providing for surveys to determine total true valuation of all locally assessable property; sample appraisals and sale prices as guides for determination; access to records of county assessors and opportunity to examine and discuss appraisals; annual estimates of changes in full cash value of locally assessable property, and bases for estimate; transmission of determination to county assessors; final action in equalizing assessments for local tax rolls; hearings on adjustments of assessable values; final statement as prima facie evidence of regularity of proceedings; manner of equalization of assessments of taxable property in counties; city, town, and county adjustments necessitated by increase or decrease in valuation of property on local tax rolls; extension of time for performance of act, and limitation of extensions; providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 410, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property taxation; providing that all property must be assessed at the same proportion of true value; describing the methods for determining true value; defining assessed value; directing the State Board of Equalization to provide county commissioners and assessors with guides for classification and appraisal of property; amending sections 84-401, 11-1909, 16-502, 75-3724, 84-101, 84-302, 84-307, 84-308, 84-402, 84-404, 84-501, 84-503, 84-602, 84-607, 84-4605, 7-122, 84-4803, 84-4806, 84-5103, 84-5401, 84-5406, 84-6205 and 84-6404, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 411, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property classification and the basis for imposition of taxes upon the different classes of property and amending sections 84-302, 84-308, and 84-5103 to provide a different basis for imposition of taxes for certain classes and types of property." Referred to Committee on Ways and Means.

House Bill No. 412, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act relating to property classification and the basis for imposition of taxes upon the different

classes of property; and amending sections 84-301, 84-302, 84-308, and 84-5103, R.C.M. 1947, to provide different classification and a different basis for the imposition of taxes for certain classes and types of property." Referred to Committee on Ways and Means.

House Bill No. 413, introduced by Special Committee on Classification and Appraisal: A bill for an act entitled: "An act to amend section 84-708, R.C.M. 1923, sub section six (6), relating to the powers and duties of the State Board of Equalization." Referred to Committee on Judiciary.

THIRD READING

Motion was made by Blewett that Third Reading be passed for the day. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday, February 6, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 6, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 10, House Bills Nos. 244, 251, 390 and 246.

HARPER

February 6, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 166 and 326, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 be amended as follows:

In line 19, page 1 of the original bill following the word "omissions" by inserting "other than damages occasioned by gross, wilful, or wanton negligence"

And so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 be amended as follows:

On line 31 of page 1 of the original bill, the words "either in the air or on the ground" be inserted after the word "thereof".

And so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be amended as follows:

By inserting in line 10 of the title of the original bill, following the word "villages" the following words "supported by a mill levy"

And be further amended on line 2 following the word "villages" by inserting the words "supported by a mill levy"

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

PIERCE, Chairman

Report adopted.

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 be amended as follows:

Amend in the body of the original House Bill No. 237, page 5, line 24, section 3 by striking the words "sworn to" and inserting in lieu thereof the word "signed".

Amend in the body of the original House Bill No. 237, section 4, page 8, lines 14 and 15 by striking the words "added the sum of ten per cent (10%) on" and inserting in lieu thereof the words "assessed a penalty of ten per cent (10%) of"

And as amended, do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 be amended as follows:

By adding the words "providing that corporations taxes cannot be shifted from the corporation to the stockholders unless the stockholders agree to assume personal liability for such taxes." to the title of the bill, in the last line and immediately after the figure (3%).

And as amended, do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 be amended as follows:

By striking from line 12 of the printed bill the words "imposed by Title 84 of the Revised Codes" and inserting in lieu thereof the words "due the State".

And as amended, do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Joint Memorial No. 4, respectfully report as follows: That House Joint Memorial No. 4 be amended as follows:

By striking in line 12 of the title of the original bill after the word "Montana" the "," and inserting in lieu thereof a "period"

By striking the following words in lines 12 and 13 of the title of the original bill: "opposing the abandonment of passenger service on the Milwaukee Railroad."

By striking lines 12 through 24 inclusive, on page 2 of the original bill.

By deleting on line 25, page 2, the words "be it further resolved" and inserting in lieu thereof "now therefore be it resolved."

And so amended, do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do pass.

HAWKS, Chairman

Report adopted.

February 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 157, 254 and 242.

HARPER

MESSAGES FROM THE SENATE

February 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 69, introduced by McKeon, Schoonover

Senate Bill No. 72, introduced by McKeon, Schoonover

Senate Bill No. 76, introduced by Graham, Cook, Dussault, Groff, Hilling

Senate Bill No. 104, introduced by Gerard, Brenner

Senate Bill No. 105, introduced by Gerard, Brenner

Senate Bill No. 151, introduced by Dussault

Senate Bill No. 206, introduced by Cook, McKeon, Reardon,
Thomas, Cashmore McElwain, Manning

Senate Bill No. 215, introduced by Huntley

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 86, introduced by Selstad, Leuthold and Hanks.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

Senate Bill No. 69, introduced by McKeon, Schoonover: A bill for an act entitled: "An act to amend section 38-208.1, Revised Codes of Montana, 1947, relating to admission of patients prior to legal commitment to allow certification by any Montana physician for mental illness in the county where the patient is found." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 72, introduced by McKeon, Schoonover: A bill for an act entitled: "An act to permit reception of nonresident insane to state hospital pending return to state of residence and repealing section 38-118, Revised Codes of Montana, 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 76, introduced by Graham, Cook, Dussault, Groff, Hilling: A bill for an act entitled: "An act to provide that county clerk and recorders may take out memberships in certain organizations at the expense of the county." Referred to Committee on Townships and Counties.

Senate Bill No. 104, introduced by Gerard, Brenner: A bill for an act entitled: "An act to authorize boards of county commissioners to lease county facilities for the purpose of operating a boarding home or nursing home for the aged." Referred to Committee on Townships and Counties.

Senate Bill No. 105, introduced by Gerard, Brenner: A bill for an act entitled: "An act to authorize boards of county commissioners to establish a county boarding home or nursing home for the indigent or non-indigent aged." Referred to Committee on Townships and Counties.

Senate Bill No. 151, introduced by Dussault: A bill for an act entitled: "An act to amend section 81-1408, R.C.M. 1947, relating to the duties of the State Forester concerning lumber cutting and scaling." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 206, introduced by Cook, McKeon, Reardon, Thomas, Cashmore, McElwain, Manning: A bill for an act entitled: "An act to

amend section 23-1206, R.C.M. 1947, to provide that all polling-places shall have sufficient booths or compartments." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 215, introduced by Huntley: A bill for an act entitled: "An act to amend section 93-5011, R.C.M. 1947, relating to challenges for cause, to provide that a juror may be challenged for cause upon showing of interest in an insurance company where action is for injuries to person or property." Referred to Committee on Judiciary.

House Bill No. 414, introduced by Haines, Asbjornson, Raundal: An act to appropriate money to the Attorney General, State Auditor, Governor, Railroad and Public Service Commission, Secretary of State, Supreme Court, and State Treasurer for operation and capital for the biennium ending June 30, 1965. Referred to Committee on Appropriations.

February 6, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 137, 142, 109 and 141, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 51 was not concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Cummings, Davis, Deschamps, Eskildsen, Flynn, Gill, Haines, Hanks, Hibbard, Jensen, Johnson, Judge, Keller, Lewis, Northey, Raundal, Schepens, Seymour, Shelden, Slaby, Twedt, Watt, Wayrynen, Zimmer. Total 26.

Noes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, East, Egan, Etchart, Falkenstern, Garrison, Goan, Good, Harper, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 66.

Absent or not voting: Dykstra, Murray. Total 2.

Excused: None.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 270 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Bradford, Jensen, Schepens. Total 3.

Absent or not voting: Harper, Murray, Nichols. Total 3.

Excused: None.

House Bill No. 301 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: None.

House Bill No. 176 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Beam, Beck, Boughton, Crum, Cummings, Davis, East, Egan, Etchart, Falkenstern, Garrison, Gill, Haines, Hanks, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Shelden, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Welch, Woodard, Wright. Total 59.

Noes: Aasheim, Adams, Bardanouve, Bashor, Blewett, Bradford, Brenner, Broeder, Casey, Deschamps, Dykstra, Eskildsen, Flynn, Goan, Good, Harper, Haughey, Healy, Jenkins, Lombardi, Lundgren, O'Hair, Schepens, Seymour, Slaby, Spahr, Stranahan, Tracy, Twedt, Weeks, Mr. Speaker. Total 31.

Absent or not voting: Hawks, Murray, Rearden, Zimmer. Total 4.

Excused: None.

House Bill No. 195 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Joint Memorial No. 10 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: None.

House Bill No. 244 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Haughey, Lewis, McNamer, Shelden. Total 4.

Absent or not voting: None.

Excused: None.

House Bill No. 251 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Goan. Total 1.

Excused: None.

House Bill No. 390 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey,

Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 87.

Absent or not voting: None.

Noes: Flynn, Gill, Harper, Lombardi, Tracy, Wayrynen, Zimmer. Total 7.

Excused: None.

House Bill No. 246 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Haines, Harper, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 79.

Noes: Adams, Bashor, Bradford, Egan, Eskildsen, Good, Hanks, Healy, Lombardi, Nutting, Tracy, Wayrynen, Wright, Zimmer. Total 14.

Absent or not voting: Twedt. Total 1.

Excused: None.

House Bill No. 157 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Twedt. Total 1.

Excused: None.

House Bill No. 254 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren,

Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Bradford, Harper, Raundal. Total 3.

Absent or not voting: O'Hair. Total 1.

Excused: None.

House Bill No. 242 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 168 do pass.

That House Bill No. 118 do pass.

That consideration of House Bill No. 339 be passed for the day.

That House Bill No. 303 do pass.

That House Bill No. 210 do pass.

That House Bill No. 273 do pass.

That consideration of Substitute House Bill No. 290 be passed for the day.

That House Joint Memorial No. 2 do pass.

That House Bill No. 183 be amended in the title by striking out in line 7 of the original bill, being line 5 of the printed bill, the words "applicants for" and inserting in lieu thereof the words "recipients of";

Be further amended in the title by striking out in line 8 of the original bill, being lines 6 and 7 of the printed bill, the words "applicant for" and inserting in lieu thereof the words "recipient of";

Be further amended in Section 1 by striking out in line 26, page 1 of the original bill, being line 15, page 2 of the printed bill, the words "applicant for" and inserting in lieu thereof the words "recipient of";

Be further amended in section 1 by striking out in line 28, page 1 of of the original bill, being lines 16 and 17, page 2 of the printed bill, the word "applicant" and inserting in lieu thereof the word "recipient";

Be further amended in section 1 by striking out in line 32, page 1 of the original bill, being line 21, page 2 of the printed bill, the words "applicants for" and inserting in lieu thereof the words "recipients of";

Be further amended in section 1 by striking out in line 5, page 2 of the original bill, being line 25, page 2 of the printed bill, the words "applicant for" and inserting in lieu thereof the words "recipient of";

And as amended, do pass.

That the Committee rise and report.

ESKILDSEN, Chairman

Motion was made by Eskildsen for adoption of the Committee report.

Substitute motion was made by Rosell that House Bill No. 210 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

Motion was made by Blewett that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 36 and 91.

SELSTAD

February 6, 1963

I have examined House Bill No. 36 introduced by me and find the same to be correct.

BARDANOUE

February 3, 1963

I have examined House Bill No. 91 introduced by me and find the same to be correct.

BAILEY

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 be amended as follows:

By striking out in line 28 on page 4 of the original bill, the word "by".

And by deleting on line 30 of page 4 of the original bill, the word "and";

And as so amended, do pass.

Report adopted.

SCHYE, Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 be amended as follows:

By adding to subsection (b) of section 1 on page 1, line 22 of the original bill after the word "mills" the following words: "or so much thereof as may be necessary to raise the amount appropriated by the legislative assembly from the university millage fund for support of the units of the greater university."

By adding to subsection (b) of section 2 on page 2, line 12 of the original bill after the word "mills" the following words: "or so much thereof as may be necessary to raise the amount appropriated by the legislative assembly from the university millage fund for support of the units of the greater university."

And as so amended, do pass.

Report adopted.

SCHYE, Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

Report adopted.

SCHYE, Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do not pass.

Report adopted.

SCHYE, Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do pass.

Report adopted.

SCHYE, Chairman

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

Report adopted.

JENSEN, Chairman

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do pass.

Report adopted.

JENSEN, Chairman

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do not pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 be amended as follows:

Amend the original bill by deleting the underlining in the following sections:

- Section 1, page 1, line 24
- Section 2, page 1, line 27
- Section 3, page 4, line 18
- Section 4, page 6, line 6
- Section 5, page 8, line 5
- Section 6, page 9, lines 31 and 32
- Section 6, page 10, line 1
- Section 7, page 11, line 13
- Section 8, page 11, line 31
- Section 9, page 12, line 31
- Section 10, page 14, line 23
- Section 11, page 15, line 22
- Section 12, page 16, line 29
- Section 12, page 17, lines 6, 7, 8 and 15
- Section 13, page 18, line 13
- Section 14, page 18, line 23
- Section 15, page 18, line 30 and
- Section 16, page 19, line 3

Further amend in Section 3, lines 26, 27, 28 and 29, page 4 of the original bill by deleting the following words: "Fees so collected shall constitute a fund for payment of the costs of inspection, sampling and analysis and other expenses necessary for the administration of the Act."

Further amend section 3, line 8, page 5 of the original bill by deleting the following words: "Five percent (5%) of".

Further amend in subsection (a) of section 5, lines 11, 12 and 13, page 8, of the original bill by striking out the words "Up to \$100,000.00 (one hundred thousand dollars) gross annual value of feeds distributed.....\$25.00" and inserting in lieu thereof the words "Up to and including five hundred dollars (\$500.00) gross annual value of feeds distributed.....\$10.00. Over five hundred dollars (\$500.00) and up to and including one hundred thousand dollars (\$100,000.00) gross annual value of feeds distributed.....\$25.00."

Further amend section 5, lines 22, 23, 24 and 25 and 26, page 8, of the original bill by deleting the following words: "Fees so collected shall constitute a fund for the payment of the costs of inspection, sampling, and

analysis and other expenses necessary for the administration of this Act. Five percent (5%) of the”;

Further amend in subsection (d) of section 9, in line 31, page 13 of the original bill by inserting the words “and registrant” between the word “purchaser” and the period “.”;

Further amend in section 9, subsection (d), in lines 1, 2, 9, 16, 21 and 22 of page 14 of the original bill by striking out the word “distributor” in each of six instances, and inserting in lieu thereof the word “registrant”;

Further amend in subsection (b) of section 12, line 22, page 17, of the original bill by inserting the words “and registrant” between the word “distributor” and the word “to”;

And, as amended, do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 3, respectfully report as follows: That Substitute House Bill No. 3 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do pass.

HAUGHEY, Chairman

Report adopted.

February 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 22.

HARPER

The Speaker signed the following House Bill in open session, the titles having first been read: House Bills Nos. 91 and 36.

MESSAGES FROM THE SENATE

February 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Public Lands, report adopted, and the same is herewith returned to the House.

House Bill No. 134, introduced by Wayrynen, Hazelbaker, Garrison and Brenner.

Respectfully

ALLEN DONOHUE
Secretary of the Senate

THIRD READING OF HOUSE BILLS

Hibbard requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. After roll call and progress being reported, Hibbard moved the Call of the House be dispensed with. Motion carried.

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 22 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Bashor, Harper, Laas, Lombardi, O'Hair, Osburnsen, Raundal, Tracy. Total 8.

Absent or not voting: Wayrynen. Total 1.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 210 be passed for the day.

That Substitute House Bill No. 206 do pass.

That House Bill No. 64 be amended in section 1 by inserting in line 8, page 4 of the original bill, being line 89, page 4 of the printed bill, after the words "Class A-1 resident big game license", the words: "or any applicant who is the holder of a class B-2 nonresident big game license";

Be further amended in section 1 by striking out in lines 16 through 21, page 4 of the original bill, being lines 97 through 102, page 5 of the printed bill, the words "in the event that the number of applications received from holders of Class A-1 resident big game licenses is not equal to the number of game species which the Fish and Game Commission desires killed, then holders of Class B-2 nonresident big game licenses may apply for the remaining number of special licenses the Commission desires issued and shall pay the same fees therefor.", and inserting in lieu thereof the

words: "In the event that the number of applications received from holders of Class A-1 resident big game licenses and Class B-2 nonresident big game licenses exceeds the number of special licenses which the Fish and Game Commission desires to issue in any hunting district, then the number of special licenses issued to the holders of Class B-2 nonresident big game licenses shall not exceed ten per cent (10%) of the total issued.";

And as amended, do pass.

That House Joint Memorial No. 11 do pass.

That House Bill No. 112 be amended in section 11 by striking out in lines 10 and 11, page 9 of the original bill, being lines 5 and 6, page 8 of the printed bill, the following words: "and shall be and constitute a lien upon the growers' wheat";

Be further amended in section 11 by striking out in lines 22 and 23, page 9 of the original bill, being lines 17 and 18, page 9 of the printed bill, the following words: "and no wheat shall be liened by the tax";

And as amended, do pass.

That House Bill No. 211 do pass.

That Senate Amendments to House Bill No. 108 be concurred in.

ESKILDTSEN, Chairman

Report adopted.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Thursday, February 7, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

THIRTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 7, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Goan and Thompson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 303, 118 and 273, House Joint Memorial No. 2 and Substitute House Bill No. 168.

HARPER

February 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 359, 88, 316, 232 and House Joint Memorial No. 6, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 be amended as follows:

Amend Section 1 by striking out in line 1, page 3 of the original bill the words "one-half of" and the figures " $\frac{1}{2}$ of";

And as amended, do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 52, respectfully report as follows: That Senate Bill No. 52 be concurred in.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 210, respectfully report as follows: That Senate Bill No. 210 be concurred in.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be amended as follows:

Be amended in the title by striking the period and the quotation marks in line 8 of the original bill and inserting a semi-colon and adding the words "providing an effective date;"

Be further amended by adding the following:

"Section 3. This act shall be in full force and effect from and after the date of its passage and approval.";

And as amended, do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 be amended as follows:

Be amended in lines 28 and 29, page 3, Section 1, of the original bill by striking the words "twenty-five" and inserting in lieu thereof the word "ten".

Be further amended by striking in lines 8 and 9, page 4, Section 1, of the original bill, the words "of any common school district within the high school district" and inserting in lieu thereof the words "of any nominating district, excluding the district where the high school is located";

And as amended, do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass, but that

Substitute House Bill No. 139, a bill for an act entitled: "An act increasing the compensation of members and employees of the Montana Liquor Control Board; amending section 4-105, R.C.M. 1947, relating to the per diem compensation to be paid to members of said board; and amending section 4-108, R.C.M. 1947, relating to the maximum annual salaries to be paid to employees of said board."

Do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass, but that

Substitute House Bill No. 131, a bill for an act entitled: "An act to amend section 53-101, R.C.M. 1947, as amended by chapter 208 of the Session Laws of the Thirty-fifth Legislative Assembly, 1957, relating to duties and records of the Registrar of Motor Vehicles by providing a more extensive record in the case of dealers; to amend section 53-102, R.C.M. 1947, as amended by chapter 122 of the Session Laws of the Thirty-seventh Legislative Assembly, 1961, relating to penalty for violation and enforcement of provisions by deleting section 53-118 from the penalty provision thereof; to amend section 53-118, R.C.M. 1947, as amended by chapter 245 of the Session Laws of the Thirty-fourth Legislative Assembly, 1955, relating to applications for dealers licenses and providing a penalty for violation of the section; to amend section 53-133, R.C.M. 1947, relating to definitions with regard to motor vehicle registration by changing the definition of dealer to conform with section 53-118; repealing section 53-138, R.C.M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith."

Do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

BROEDER, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND THE SENATE

February 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 20, introduced by Groff, Brenner, Cotton.

Senate Bill No. 42, introduced by Durkee, McKeon.

Senate Bill No. 70, introduced by McKeon, Schoonover.

Senate Bill No. 73, introduced by Brenner.

Senate Bill No. 74, introduced by Brenner.

Senate Bill No. 77, introduced by Graham, Cook, Dussault, Groff, Hilling.

Senate Bill No. 103, introduced by Brenner.

Senate Bill No. 124, introduced by Mahoney, Huntley, Schoonover, Jensen, Cumming, Hafferman.

Senate Bill No. 209, introduced by Cook.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 51, introduced by Wayrynen and Beck.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 6, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Joint Resolution No. 1—Introduced by Bardanoue, et al.

Yours truly,

TIM BABCOCK
Governor

MOTIONS AND RESOLUTIONS

Motion was made by Mathers that House Bill No. 202 be taken from printing and rereferred to the Committee on Agriculture. Motion carried.

Motion was made by Keller that House Bill No. 386 be taken from the Committee on Public Health, Welfare and Safety and rereferred to the Committee on Judiciary. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Joint Resolution No. 14, introduced by Haines, Bardanoue: A joint resolution of the Senate and House of Representatives commending the excellent job of refurbishing the furniture of the senate and house done at Montana State Prison. Referred to Committee on State Administration.

House Bill No. 415, introduced by Woodard, Hawks, Stranahan, Rehberg, Garrison: A bill for an act entitled: "An act to appropriate money for the purpose of acquiring, operating and maintaining a nutritional beef cattle research program at the Huntley Branch Experiment Station as a replacement program for the dairy research program discontinued by the Agricultural Research Service of the United States Department of Agriculture." Referred to Committee on Appropriations.

Senate Bill No. 20, introduced by Groff, Brenner, Cotton: A bill for an act entitled: "An act making certain changes in the general administration of providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools by amending sections 75-1713.1, 75-1723, 75-1816, 75-3611, 75-3612, 75-3616, 75-3617, 75-3618, 75-3619, 75-3706, 75-3722, 75-3801, 75-4230, 75-4516.1 and 75-4518.1, R.C.M. 1947, relating to changes in budget by budget board when in excess of foundation program—restrictions on budgets, fixing tax levy, determination of levy in joint school districts, definitions—schedules of financial program, foundation program, distribution of funds—reports may be required, application for approval as isolated schools, distribution of money available to school districts—formula for apportionment of county funds, formula for distribution of state funds, common school levy, duties of county treasurer,

district school taxes—election, attendance outside of county of pupil's residence, levy of taxes, reduction in budget by budget board—allowance of additional expenses over foundation program; and by repealing sections 75-4507, 75-4508, 75-4509 and 75-4510, R.C.M. 1947, relating to state superintendent to give notice if state fund inadequate, resolution to issue warrants—hearing, authorization to issue warrants, method of payment of warrants, increase of budgets for high schools—when authorized, special tax levy—rate, application of act and construction of act.” Referred to Committee on Education.

Senate Bill No. 42, introduced by Durkee, McKeon: A bill for an act entitled: “An act amending section 59-538, R.C.M. 1947, to increase the per diem of persons engaged in state service.” Referred to Committee on State Administration.

Senate Bill No. 70, introduced by McKeon, Schoonover: A bill for an act entitled: “An act to amend section 38-214, Revised Codes of Montana, 1947, pertaining to maintenance of insane persons to provide that amount fixed for maintenance be computed as average per capita cost.” Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 73, introduced by Brenner: A bill for an act entitled: “An act to amend section 84-4202, Revised Codes of Montana, 1947, relating to the duty of county treasurers in collection of personal property taxes not a lien on real property; providing that personal property in addition to that against which the tax is assessed is subject to levy and sale; providing for the collection of taxes by the institution of a civil action in addition to other methods; providing that the county shall have a general lien, dependent on possession, upon any monies in its possession belonging to any taxpayer, for any amounts due said county for any delinquent personal property taxes not a lien on real estate, of said taxpayer; repealing all acts or parts of acts in conflict herewith; providing an effective date.” Referred to Committee on Townships and Counties.

Senate Bill No. 74, introduced by Brenner: A bill for an act entitled: “An act to amend section 84-3807, Revised Codes of Montana, 1947, relating to judgments and liens for taxes against personal property; providing for the attachment of tax liens on personal property acquired by the tax debtor after assessment; providing the procedure for collecting and enforcing payment of property taxes; repealing all acts or parts of acts in conflict herewith.” Referred to Committee on Townships and Counties.

Senate Bill No. 77, introduced by Graham, Cook, Dussault, Groff, Hilling: A bill for an act entitled: “An act to amend section 25-508, R.C.M. 1947, to provide for expenses for county clerk and recorders when attending a general association meeting.” Referred to Committee on Townships and Counties.

Senate Bill No. 103, introduced by Brenner: A bill for an act entitled: “An act amending section 84-4903, R.C.M. 1947, relating to personal income tax, deleting the provisions as to taxability of nonresident officers of corporations; amending section 84-4910, R.C.M. 1947, to provide for an additional exemption to income tax only in the event a separate return is made by taxpayer and spouse has no gross income and is not the dependent of another taxpayer; amending section 84-4956, R.C.M. 1947, to provide for examination of income tax returns, hearings and return of overpayments at six per cent (6%) per annum under certain conditions.” Referred to Committee on Ways and Means.

Senate Bill No. 124, introduced by Mahoney, Huntley, Schoonover, Jensen, Cumming, Hafferman: A bill for an act entitled: “An act to authorize and empower incorporated cities and towns, at their option, to make an all purpose exclusive annual mill levy in lieu of the multiple levies now authorized by the statutes of the State of Montana; providing that in the event such all purpose levy is adopted the incorporated cities

and towns shall allocate the same on a mill basis to the several departments of said city or town." Referred to Committee on Affairs of Cities.

Senate Bill No. 209, introduced by Cook: A bill for an act entitled: "An act to amend section 23-1307, R.C.M. 1947, as amended, to provide for assistance to a disabled elector in marking an absentee ballot." Referred to Committee on Constitution, Elections and Federal Relations.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 191, 367, 360 and 247, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to were, disposed of in the following manner:

Senate amendments to House Bill No. 108 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Haughey. Total 1.

Absent or not voting: Broeder, Turnage. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 303 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Broeder. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Joint Memorial No. 2 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dyk-

stra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Good, Haines, Hanks, Harper, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 71.

Noes: Bardanouve, Bashor, Bradford, Davis, Flynn, Gill, Healy, Johnson, Lewis, Lombardi, Raundal, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 20.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 118 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

Substitute House Bill No. 168 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Deschamps, Haines, Keller, Northey, Stranahan. Total 5.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 273 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Broeder, Crum, Davis, Deschamps, Dykstra, East, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lucas, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye,

Seymour, Smith, Spahr, Swanz, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: Bashor, Beck, Boughton, Bradford, Brenner, Casey, Cummings, Eskildsen, Etchart, Harper, Laas, Lewis, Lombardi, Lund, O'Hair, Raundal, Schepens, Selstad, Shelden, Slaby, Smiley, Spilde, Stranahan, Twedt, Wright. Total 25.

Absent or not voting: Hawks, Lundgren. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Beam of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 210 do pass.

That further consideration of Substitute House Bill No. 290 be indefinitely postponed.

That House Bill No. 339 do pass.

That consideration of House Bill No. 166 be placed at the bottom of the calendar.

That House Bill No. 326 do pass.

That House Bill No. 137 be amended in Section 1 by inserting in line 15, page 1 of the original bill, being line 4, page 1 of the printed bill, after the words "and loan" the word "insurance";

And as amended, do pass.

That House Bill No. 142 do pass.

That House Bill No. 109 do pass.

That House Bill No. 141 do pass.

That House Bill No. 236 do pass.

That House Bill No. 235 do pass.

That further consideration of Senate Bill No. 58 be indefinitely postponed.

That the Committee rise and report.

BEAM, Chairman

Motion was made by Beam for the adoption of the Committee of the Whole report.

Substitute motion was made by Haines that House Bill No. 137 be segregated from the Committee of the Whole report. Motion carried.

Substitute motion was made by Keller that Senate Bill No. 58 be segregated from the Committee of the Whole report. Motion carried.

Report adopted as amended.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 183 and 211, Substitute House Bill No. 206 and House Joint Memorial No. 11.

HARPER

February 6, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 36, 91, 90, 147, 148 and 149, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:58 o'clock a.m. delivered to the Governor for his approval.

MURRAY, Chairman

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House:

Dorothy Carlson—Proof Reader

NICHOLS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 be amended as follows:

In the title, in line 4, page 1 of the original bill after the word "that" by inserting "police courts, municipal courts,";

In line 17, page 1 of the original bill after the word "Montana" by inserting ", and the municipal and police courts of cities and towns,";

In line 23, page 1 of the original bill after "\$50.00," by inserting the words "providing such child shall not be imprisoned for failure to pay such fine";

In line 18, page 2 of the original bill after the word "county" by inserting the words "or the municipal or police court of the city or town";

In line 20, page 2 of the original bill by striking the word "district";

And as amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 be amended as follows:

Amend the title, line 6, page 1 of the original bill, by striking the period "." following the word "basis" and inserting a semi-colon and the following: "; providing for an effective date.";

Further amend in line 31, page 1 of the original bill, by striking the word "ability" following the word "his" and inserting the following: "physical ability to operate and";

And further amend on page 2, line 4, by adding the following: "Section 2. This act shall be in full force and effect upon passage and approval.";

And as amended, do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 be taken from the Committee on Highways and transferred to the Committee on Appropriations without recommendation.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do pass.

DYKSTRA, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 99, introduced by Lehrkind, Gerard, Cumming, Bovey, Balgord, Hilling, McGowan, Dussault.

Senate Bill No. 100, introduced by Thiessen, O'Neill, Hauk, Nees, Michels, Thomas, Melcher, Carney, Shaw.

Senate Bill No. 122, introduced by Schoonover, Ullom, Shaw, Hafferman.

Senate Bill No. 132, introduced by McElwain.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Keller that Senate Bill No. 58 be taken from General Orders and rereferred to the Committee on Public Health, Welfare and Safety. Motion carried.

Kvaalen, having voted on the prevailing side, moved that the House reconsider its action in passing on Third Reading this day House Bill No. 273.

Substitute motion was made by Blewett that the House request the Senate to return House Bill No. 273 to the House.

Substitute motion for all motions pending was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Motion was made by Blewett that the Senate be requested to return to the House, House Bill No. 273. Motion failed to carry.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 210, 339, 326, 142, 109 and 141.

HARPER

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 15, introduced by Aasheim, Bardanouve: A joint resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to develop a general plan to fairly and justly distribute the burdens of the state welfare program to each of the counties of the State of Montana and for future guidance, including necessary amendments to existing statutes and necessary amendments to the Constitution, to make specific recommendations for improvement of the welfare laws of the State of Montana and to appoint a bi-partisan task force to assist in the study and report its findings to the 39th Legislative Assembly. Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 99, introduced by Lehrkind, Gerard, Cumming, Bovey, Balgord, Hilling, McGowan, Dussault: A bill for an act entitled: "An act authorizing the optional use of trust indentures as security instruments in the financing of small tracts embracing three acres of land, or less; providing for the conveyance of title to a trustee to secure the performance of an obligation and for re-conveyance upon performance; conferring a power of sale upon the trustee under a trust indenture and prescribing the time and manner in which such power may be exercised; providing for the sale of the property at trustee's sale in the event of default; prescribing the form of notice of sale and providing for the recordation, mailing, posting and publication of notice of sale; providing for trustee's deeds and the form and effect thereof; providing for the disposition of the proceeds of sale; disallowing deficiency judgment in certain cases; providing for possession following sale; defining the fees and expenses chargeable to the grantor of a trust deed; providing for discontinuance of foreclosure by advertisement and sale; relating to the applicability of mortgage laws to trust indenture transactions; amending sections 93-6005, 93-6006 and 93-6007, R.C.M. 1947, relating to sales of real estate under powers of sale in mortgages and rights of redemption, to exclude therefrom trust indentures as defined in this act; and providing a short title, a severability clause and an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 100, introduced by Thiessen, O'Neill, Hauk, Nees, Thomas, Michels, Melcher, Carney, Shaw: A bill for an act entitled: "An act to provide for the transportation of coal by pipeline carrier; defining common carriers of coal; providing for the regulation of said carriers by the Board of Railroad Commissioners of Montana; providing for hearings before said Board of Railroad Commissioners; providing the right of eminent domain to construct necessary pipelines; prohibiting discrimination of rates and transportation; and providing a penalty for a violation of the act, by amending sections 8-201, 8-202, 8-204, 8-205, 8-206, 8-207, and 8-210, Revised Codes of Montana, 1947." Referred to Committee on Business and Industry.

Senate Bill No. 122, introduced by Schoonover, Ullom, Shaw, Hafferman: A bill for an act entitled: "An act to amend section 75-2401, R.C.M., 1947, relating to the re-election of teachers to provide that a board of trustees may terminate the services of a teacher who has attained or will attain the age of sixty-five (65) years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years." Referred to Committee on Education.

Senate Bill No. 132, introduced by McElwain: A bill for an act entitled: "An act to amend section 80-740, R.C.M. 1947, to provide rules governing good time allowances earned by the inmates of the Montana State Prison, and providing for forfeiture of such good time." Referred to Committee on Judiciary.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Haines that House Bill No. 137 be taken from General Orders and referred to the Committee on Business and Industry. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 183 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tracy, Turnage, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Gill, Slaby, Twedt. Total 3.

Absent or not voting: Tooke, Weeks. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 211 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Tooke. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

Substitute House Bill No. 206 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Gill, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Raundal, Rearden, Regan, Reinecke, Rosell, Schye, Seymour, Smiley, Spahr, Spilde, Stranahan, Swanz, Tracy, Turnage, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 68.

Noes: Bardanouve, Broeder, Eskildsen, Flynn, Hanks, Harper, Jenkins, Keller, Kvaalen, Lucas, Lundgren, Mathers, Nutting, O'Hair, Rehberg, Schepens, Selstad, Shelden, Slaby, Twedt, Welch. Total 21.

Absent or not voting: Tooke, Smith. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Joint Memorial No. 11 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Haines, Hanks, Harper, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nuttings, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Turnage, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 74.

Noes: Bardanouve, Bradford, Egan, Flynn, Gill, Good, Healy, Lombardi, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen. Total 15.

Absent or not voting: Pierce, Tooke. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 210 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Reinecke, Schepens, Selstad, Seymour, Shelden, Slaby, Spahr, Stranahan, Swanz, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 71.

Noes: Beam, Boughton, Casey, Etchart, Harper, Hawks, Kvaalen, Lund, Lundgren, Murray, Nichols, Rehberg, Rosell, Schye, Smiley, Smith, Spilde, Woodard, Wright. Total 19.

Absent or not voting: Tooke. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 339 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 326 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Good, Haines, Hanks, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Bashor, Blewett, Deschamps, Eskildsen, Gill, Harper, Haughey, Lombardi, Murray, Northey, O'Hair, Raundal, Tracy, Wayrynen. Total 14.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 142 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Turnage, Twedt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 71.

Noes: Adams, Baldwin, Boughton, Brenner, Deschamps, Egan, Harper, Haughey, Laas, Lombardi, Nelson, Osburnsen, Raundal, Rehberg, Schepens, Smiley, Tracy, Watt, Wayrynen. Total 19.

Absent or not voting: Bardanouve. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 109 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 141 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hem-

stad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bardanouve, Haughey, Laas, Raundal, Schepens. Total 5.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous setting. Motion carried.

Beam of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 166 do pass.

BEAM, Chairman

Report adopted.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 124, 175, 337, 384, 402 and 358, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 47 and 48.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 86.

SELSTAD

I have examined House Bill No. 86 introduced by me and find the same to be correct.

SELSTAD

The Speaker signed House Bill No. 86 in open session, the title having first been read.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Friday, February 8, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 8, 1963

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-second Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

February 8, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 385, 225 and 332, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 112, 64 and 235.

HARPER.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 be amended as follows:

On page 1 in line 5 of the original bill by adding after the numbers "92-104" the following: "94-9825."

And be further amended on page 1 in the title, in line 9 of the original bill by inserting after the numbers "92-104," the following: "94-9825,".

And be further amended in section 1, page 1, line 22 by striking the word "less" and inserting in lieu thereof the word "more".

And be further amended in section 2, page 2, line 4 by striking the word "less" and inserting in lieu thereof the word "more."

And be further amended on page 2, section 3, in lines 16 and 17 of the original bill by striking out the following words and figures "not less than seven thousand five hundred dollars (\$7,500.00) per year." and inserting in lieu thereof the following: "not more than six thousand five hundred dollars (\$6,500.00) per year." Should the custodial operations of the state be services by a contracting firm this salary shall remain at five thousand four hundred dollars (\$5,400.00)."

And be further amended in Section 4, page 2, line 21 by striking the word "less" and inserting in lieu thereof the word "more".

And be further amended in section 5, page 3, line 2 by striking the word "less" and inserting in lieu thereof the word "more".

And be further amended in section 6, page 3 in line 28 of the original bill by striking the words and figures "not less than nine thousand dollars (\$9,000.00)" and inserting in lieu thereof the words and figures "not more than ten thousand dollars (\$10,000.00)" and further amend section 6, page 3, line 29 of the original bill by striking the following: "He shall report

to the Carey land act board at the end of each fiscal year the time he has spent in connection with Carey land work, and the said board shall reimburse the general fund out of any money available in the Carey fund for the salary of the state engineer for such time as he has spent on Carey land work." and insert in lieu thereof the following: "Such expenses shall be paid monthly from the state's general fund and/or from any other fund from which his salary is derived."

And be further amended in section 7, page 4, line 7 by striking the word "less" and inserting in lieu thereof the word "more."

And be further amended in section 8, page 4, line 14 by striking the words "such board" and inserting in lieu thereof the following: "board of equalization."

And be further amended in section 8, page 4, line 27 by striking the word "less" and inserting in lieu thereof the word "more."

And be further amended in section 8, page 4 in line 28 by adding after the word "installments." the following: "The member elected chairman as provided for in 84-703, R. C. M. 1947, shall receive additional compensation of not more than \$500.00 per annum payable in the same manner as the salary."

And be further amended in section 9, page 5, line 12 by striking the word "less" and inserting in lieu thereof the word "more."

And be further amended in line 16 of page 5 of the original bill by adding the following:

"Section 10. Section 94-9825, R. C. M. 1947, is amended to read as follows:

"94-9825. Director and employees—salaries to be paid monthly—approval and auditing. The board shall appoint a state director of probation and parole, hereinafter referred to as the "director" who shall appoint, with the approval of the board, an assistant director, probation and parole officers and other employees, required to administer the provisions of this act. The director shall receive an annual salary of not more than eight thousand four hundred dollars (\$8,400.00) per annum payable monthly, which shall include compensation for all services rendered as Interstate Compact Administrator. All other officers and employees of the board shall receive such compensation for their services as may be fixed by the board. All officers and employees of the board shall hold office at the pleasure of the board and shall perform such duties as are imposed on them by law or by the board.

The salaries of all officers and employees of the board shall be paid monthly after such salaries have been approved by the board upon claims therefor."

And as amended, do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do pass.

ADAMS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do not pass, but that

Substitute House Bill No. 7, A bill for an act entitled: "An act to amend section 68-901, R. C. M. 1947, relating to the allowances to be paid members of the public employees' retirement system of the state of Montana upon their retirement from state service, and to amend section 68-1101, R. C. M. 1947, relating to the benefits payable upon the death of members of the public employees' retirement system." Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do not pass.

KELLER, Chairman.

Motion was made by Keller for the adoption of the committee report.

Substitute motion was made by Eskildsen that House Bill No. 381 be printed and placed on General Orders. After debate, Keller moved the previous question. Motion carried. Substitute motion failed to carry.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do not pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 be amended as follows:

In line 29 of page 1 of the original bill the word and figures "and 75-3914," be deleted in the title.

In line 18 of page 8 of section 10 of the original bill the figures "75-3914," be deleted.

And as amended, do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 be amended as follows:

That on page 2 of the original bill a new section be added as follows:

"Section 3. The State Superintendent of Public Instruction shall prepare the form of application for absentee voter ballot for school districts and such other forms and regulations as may be necessary to carry out the purpose of this act, as it pertains to school districts."

And as amended, do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 be amended as follows:

Amend the original bill, in line 3, page 1, by adding the following to the key list of amended sections: "23-1302 (1)";

Amend the title in line 4, page 1 of the original bill by changing the word "section" to read "sections" and inserting after the figures "23-1309" the word and figures "and 23-1302 (1)";

Further amend the title in lines 5 and 6, page 1 of the original bill by striking the words "received by the clerk" and inserting in lieu thereof the words "for which application was made";

Further amend the title in line 7, page 1 of the original bill by striking the period and adding the following words: "and by providing that no applications for absentee ballots shall be issued by the clerk after twelve o'clock noon of the day next preceding an election."

Amend section 1 in line 28, page 1 of the original bill by inserting after the word "clerk" the words "for which application was made";

Amend the original bill on page 2 by adding a new section to read as follows:

"Section 2. Section 23-1302 (1) R.C.M. 1947, is amended to read as follows:

23-1302 (1) Application of absentee or physically incapacitated person for ballot. At any time within "the period beginning" forty-five (45) days next preceding such election "and ending at twelve o'clock noon on the day next preceding the day of election," any elector expecting to be absent on the day of election from the county in which his voting precinct is situated, or any elector in the United States service, or any elector who as a result of physical incapacity, in all probability will be unable to attend his voting precinct poll as made to appear by the certificate of a physician licensed under the laws of Montana, plainly stating the nature of the physical incapacity of the applicant, and certifying (a) that such incapacity will continue beyond the day of the election for which the application is made; (b) to the extent of reasonably preventing applicant from going to the polls, bodily health considered, may make application to the county clerk of such county, or to the city or town clerk, in the case of a municipal, general, or primary election, for an official ballot or official ballots to be voted at such election, as an absent or physically incapacitated voter's ballot or ballots."

And as amended, do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 do not pass, but that

Substitute House Bill No. 295, a bill for an act entitled: "An act amending sections 41-1201 and 41-1202, R.C.M. 1947, changing the membership of the Apprenticeship Council; providing that the council is a part of the Department of Labor and Industry; providing for the election of a chairman and vice chairman of the council; authorizing the Commissioner of Labor and Industry, subject to the approval of the council, to appoint a director of apprenticeship and other clerical, technical and professional staff as may be necessary; and providing that the director of the council shall serve as its secretary without a vote." Do pass.

WRIGHT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title

and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 56, introduced by Dussault, et al

Senate Bill No. 92, introduced by Ullom, et al

Senate Bill No. 95, introduced by McKeon

Senate Bill No. 79, introduced by Dussault, Carney

Senate Bill No. 198, introduced by McGowan, et al

Senate Joint Memorial No. 7, introduced by DeWolfe, et al

Senate Joint Resolution No. 11, introduced by McGowan, et al

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 65, introduced by Goan, et al

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

House Bill No. 212, introduced by Regan and Murray

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 137 be taken from the Committee on Business and Industry and placed on General Orders. Motion carried.

Motion was made by Wright that House Bill No. 180 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 56, introduced by Dussault, McKeon, O'Neill, Mc-Donnell, McElwain, Cashmore: A bill for an act entitled: "An act

providing that information and data concerning infant morbidity and mortality may be provided to the State Board of Health, the Montana Medical Association and any of its allied medical societies, any committees of nationally organized medical societies or research groups, or any in-hospital staff committee, for the purpose of reducing infant morbidity and mortality through study and medical research; providing that no liability shall arise by reason of having furnished any such information or data, or by reason of having released or published the findings and conclusions of such groups to advance medical research and education, or by reason of having released or published generally a summary of such studies; providing that the identity of any person whose condition or treatment is the subject of any information or data provided under the terms of this act shall not be revealed under any circumstances; and providing that the information and data received under the terms of this act and the conclusions resulting from studies conducted under the terms of this act shall be privileged communications." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 92, introduced by Ullom, Cashmore, Dussault, Cumming, MacDonald, Moritz: A bill for an act entitled: "An act to amend section 4-332, R.C.M. 1947, which is a part of the Montana Beer Act, authorizing issuance of special permits to sell beer, at the discretion of the Montana Liquor Control Board, to posts of nationally chartered veterans' organizations and to lodges of recognized national fraternal organizations, not otherwise licensed; and to authorize issuance of special permits to sell liquor, at the discretion of the Montana Liquor Control Board, to posts of nationally chartered veterans' organizations and to lodges of recognized national fraternal organizations, not otherwise licensed." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 95, introduced by McKeon: A bill for an act entitled: "An act creating a Montana council on aging; declaring a public policy; defining the purposes of the council; authorizing the acceptance of grants and gifts." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 97, introduced by Dussault and Carney: A bill for an act entitled: "An act relating to credit unions; creating new sections to provide a comprehensive revisions and consolidation of the Laws of the State of Montana relating to credit unions; regulating the incorporation, formation, operation and supervision of the affairs of credit unions; providing a saving clause; and repealing title 14, chapter 1, Revised Codes of Montana, 1947, as amended, and all other acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

Senate Bill No. 198, introduced by McGowan, Dussault, Cumming, Hilling, MacDonald, Brenner: A bill for an act entitled: "An act prohibiting transfer of retail liquor and beer licenses of qualified veteran and fraternal organizations; restricting sales of liquor and beer by veteran and fraternal organizations to members and guests only; providing "minimum facilities" for excluding unauthorized patrons; providing exception; and providing penalty for violation hereof." Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Memorial No. 7, introduced by DeWolfe, Nixon, Graham, Mahoney, Michels, Schoonover, Goodwin, Melcher, Nees, Rieder, Grieve, McDonnell, Hafferman, Beley: A joint memorial of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation and to the Honorable Secretary of the Interior of the United States, urging that action be taken by the United States to implement the provisions of chapter 104, Montana Session Laws of 1959, to enable the beneficiaries of that legislation to obtain the benefits intended thereby. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 11, introduced by McGowan, Huntley, Groff, Gerard, Moberly, Breen, Balgord, Siderius, Schoonover, Dussault: A joint resolution of the Senate and House of Representatives directing the legislative council to study and report the best methods to be followed to achieve cooperative action by state, and local agencies or other entities of government in the full development and utilization of our water and other resources and related lands. Referred to Committee on Agriculture.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 112 failed to pass by the following vote:

Ayes: Aasheim, Asbjornson, Baldwin, Beck, Crum, East, Eskildsen, Etchart, Falkenstern, Gill, Hanks, Hawks, Hemstad, Hibbard, Holtz, Lucas, McNamer, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Seymour, Smiley, Watt, Weeks, Woodard. Total 28.

Noes: Adams, Bailey, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, Egan, Flynn, Garrison, Goan, Good, Haines, Harper, Haughey, Healy, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Mathers, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Reinecke, Rosell, Schepens, Selstad, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Welch, Wright, Zimmer, Mr. Speaker. Total 61.

Absent or not voting: Broeder, Lundgren, Nichols, Schye, Swanz. Total 5.

Excused: None.

House Bill No. 64 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Shelden, Slaby, Smith, Spahr, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 82.

Noes: Bailey, Holtz, Jenkins, Selstad, Seymour, Smiley, Spilde, Stranahan, Zimmer. Total 9.

Absent or not voting: Aasheim, Lundgren, Nichols. Total 3.

Excused: None.

House Bill No. 235 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens,

Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 86.

Noes: Bradford, Brenner, Eskildsen, Harper, Healy, Laas, Wayrynen, Zimmer. Total 8.

Absent or not voting: None.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bills Nos. 358, 359 and 360 be placed at the head of the list and considered together.

That House Bill No. 358 do pass.

That House Bill No. 359 do pass.

That House Bill No. 360 do pass.

That House Bill No. 88 do pass.

That House Bill No. 316 do pass.

That further consideration of House Bill No. 232 be indefinitely postponed.

That the Committee rise and report.

AASHEIM, Chairman.

Report adopted.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 159 and House Joint Memorial No. 4, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be not concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do not pass.

ASBJORNSON, Vice-Chairman.

Asbjornson moved for adoption of the Committee report.

Substitute motion was made by Leuthold that House Bill No. 324 be printed and placed on General Orders. Substitute motion carried.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 51 and 108.

SELSTAD.

February 8, 1963

I have examined House Bill No. 51 introduced by me and find the same to be correct.

WAYRYNEN.

February 8, 1963

I have examined House Bill No. 108 introduced by me and find the same to be correct.

KELLER.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 166 and 236.

HARPER.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 51 and 108.

MESSAGES FROM THE GOVERNOR

February 8, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 36—Introduced by Hawks, et al

House Bill No. 90—Introduced by Hibbard, et al

House Bill No. 91—Introduced by Bailey, et al

House Bill No. 147—Introduced by Hawks, Nichols

House Bill No. 148—Introduced by Hawks, Nichols

House Bill No. 149—Introduced by Hawks, Nichols

Yours truly,

TIM BABCOCK,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Wayrynen that House Bill No. 166 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion failed to carry.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 166 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 56.

Noes: Aasheim, Adams, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Keller, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Selstad, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 37.

Absent or not voting: Kvaalen. Total 1.

Excused: None.

House Bill No. 236 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Kvaalen. Total 1.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 6 do pass.

That House Bill No. 191 do pass.

That House Bill No. 367 be amended in Section 1 by striking out in line 32, page 1 of the original bill, being line 23, page 2 of the printed bill, the words "city and/or county" and by inserting in line 1, page 2 of the original bill, being line 24, page 2 of the printed bill, after the words "city or county" the following words and punctuation: ", or the governments of both the city and the county,";

And as amended, do pass.

That House Bill No. 247 do pass.

That consideration of House Bill No. 124 be passed for the day.

That House Bill No. 175 do pass.

That House Bill No. 337 do pass.

That House Bill No. 384 do pass.

That House Bill No. 402 do pass.

That Senate Bill No. 52 be concurred in.

That further consideration of Senate Bill No. 210 be indefinitely postponed.

That House Bill No. 137 be amended in Section 1 by inserting after the words "and loan" in line 15, page 1 of the original bill, being line 4, page 1 of the printed bill, the word "insurance";

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Harper that the House reconsider its action in adopting the adverse committee report on Senate Bill No. 22. Motion carried.

Motion was made by Blewett that Senate Bill No. 22 be rereferred to the Committee on Fish and Game. Motion carried.

Lucas, having voted on the prevailing side, moved that the House reconsider its action in passing House Bill No. 166 on Third Reading this day. Motion carried.

Motion was made by Blewett that House Bill No. 166 be rereferred to the Committee on Appropriations. Motion carried.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 88, 359, 316, 360 and 358.

HARPER.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 7 and House Bills Nos. 179, 312, 133, 261, 237 and 328, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 8, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 249 and 305, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House adjourn until 9:00 a.m., Saturday, February 9, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 9, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by Mr. Speaker.

On roll call all members were present except Lewis and Lucas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-third Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 8, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 175, 191, 247, 384, 337, 367 and House Joint Memorial No. 6.

HARPER

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 be amended as follows:

By striking from the title on line 8 of the original bill the period and quotation marks and adding thereto the following: "and providing an effective date."

And be further amended by adding thereto a new paragraph as follows:

"Section 7. This act is effective July 1, 1964."

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do not pass but that Substitute House Joint Memorial No. 8

A joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional delegation, the Committee on Commerce of the United States Senate and the Committee on Interstate and Foreign Commerce of the United States House of Representatives urging that railroad labor and railroad management negotiate appropriate rules incorporating principles of maximum hours worked by railroad workers on continuous duty as recommended by the Presidential Railroad Commission.

Do pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 be printed and placed on General Orders.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 be amended as follows:

Amend Section 14, between lines 28 and 29, page 10 of the original bill, by inserting the following words:

"Any holder who has paid moneys to the state treasurer pursuant to this act, and after exhausting his legal remedies, is compelled by authority of another jurisdiction to make a second payment to any other state, upon certified proof thereof and upon proof that the state treasurer was notified in writing of the claim of such other state within thirty (30) days after such claim has been asserted, the state treasurer shall refund to such holder the amount of such second payment not in excess of the amount paid to the state treasurer under this act."

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do not pass.

HAUGHEY, Chairman

Report adopted.

February 9, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 212.

SELSTAD

February 9, 1963

I have examined House Bill No. 212 introduced by me and find the same to be correct.

REGAN

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 212.

MESSAGES FROM THE SENATE

February 8, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same herewith transmitted to the House for concurrence:

Senate Bill No. 115, introduced by Stein, Beley, McDonnell,
Grieve, Bovey

Senate Bill No. 131, introduced by Keller, Rostad, Grieve, Nixon,
Cumming

Senate Bill No. 161, introduced by Groff, Brenner

Senate Bill No. 166, introduced by McElwain, Mackay

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Leuthold, having voted on the prevailing side, moved that the House reconsider its action in failing to pass on Third Reading House Bill No. 112. After debate, Casey moved the previous question. Motion carried. Motion by Leuthold carried.

Motion was made by Dykstra that House Bills Nos. 358, 359 and 360 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Haughey that House Bill No. 124 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Tracy, having voted on the prevailing side, moved that the House reconsider its action in indefinitely postponing consideration of House Bill No. 232.

Substitute motion for the motion pending was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Motion was made by Wayrynen that the House reconsider its action of the previous day in adopting the Committee of the Whole report. Motion carried.

Motion was made by Wayrynen that House Bill No. 232 be segregated from the Committee of the Whole report of the previous day. Motion carried.

Motion was made by Wayrynen that the Committee of the Whole report of the previous day be adopted as amended. Motion carried.

Motion was made by Wayrynen that consideration of House Bill No. 112 be passed on Third Reading for the day. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 16, introduced by Special Committee on Classification and Appraisal: A joint resolution of the Senate and House of Representatives requesting that the Legislative Council study the Property Classification Laws of Montana, compare these laws with those of other states, and report its findings and recommendations, together with any necessary legislation, to the Thirty-ninth Legislative Assembly. Referred to Committee on Judiciary.

Senate Bill No. 115, introduced by Stein, Beley, McDonnell, Grieve, Bovey: A bill for an act entitled: "An act to authorize the recording of locations of new highways or controlled access facilities by the State Highway Commission; providing that improvements, buildings or subdivisions placed upon said lands within the limits of such location may not be taken into consideration for the purpose of assessing compensation for such lands; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from the date of its passage and approval." Referred to Committee on Highways.

Senate Bill No. 131, introduced by Keller, Rostad, Grieve, Nixon, Cumming: A bill for an act entitled: "An act requiring and providing for filing of corner records containing information on public land survey corners by a licensed land surveyor; defining terms; providing for filing and filing fees, and making records available to the public; allowing licensed land surveyors to file information on any property corner; requiring surveyors to reconstruct and perpetuate monuments of public land survey corners; directing that unconstitutionality of a part of this act shall not affect or impair the remainder, and repealing all acts and parts of acts inconsistent herewith." Referred to Committee on State Administration.

Senate Bill No. 161, introduced by Groff, Brenner: A bill for an act entitled: "An act to amend sections 23-802, 23-809, 23-911, 23-913, 23-916, 23-919, 23-1106, 23-1112, 23-1608, 23-1608a and 23-2003, Revised Codes of Montana 1947, so as to provide that certificates of nomination shall indicate whether a candidate is the incumbent in the office for which he is a candidate; providing that the secretary of state must certify whether a candidate is the incumbent occupying the office for which he is a candidate; providing that petitions for nomination, partisan and non-partisan, shall indicate whether the candidate is the incumbent occupying the office for which he is a candidate; providing that the "register of candidates for nomination at the primary nominating election", and the "register of nominations" kept by the secretary of state, the county clerk or city clerk must indicate whether a candidate for nomination or a nominee is the incumbent in the office for which he is a candidate; providing that the secretary of state must certify in addition to other information concerning candidates for nomination whether a candidate is the incumbent occupying the office for which he is a candidate; providing that it shall be indicated on the ballots at primary, general and other elections, including ballots on voting machines, whether a candidate is the incumbent occupying the office for which he is a candidate; and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 166, introduced by McElwain, Mackay: A bill for an act entitled: "An act to amend section 53-501, R.C.M. 1947, relating to color of state-owned vehicles; vehicles in service of Governor, The State Highway Commission, and Highway Patrol excepted; specifying location and size of lettering; authorizing state controller to determine color of vehicles, except those purchased for Governor, State Highway Commission and State Highway Patrol, and to assign code numbers to each department and institution for identification; repealing all acts and parts of

acts in conflict therewith; providing an effective date." Referred to Committee on State Administration.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 52 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Hawks, Jensen, Turnage. Total 3.

Excused: Lewis, Lucas. Total 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 88 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Jensen, Pierce. Total 2.

Excused: Lewis, Lucas. Total 2.

House Bill No. 316 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Leuthold, Lombardi, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Woodard, Wright. Total 72.

Noes: Bashor, Boughton, Cummings, Egan, Eskildsen, Flynn, Harper,

Haughey, Kvaalen, Laas, Mathers, O'Hair, Raundal, Selstad, Slaby, Twedt, Wayrynen, Zimmer, Mr. Speaker. Total 19.

Absent or not voting: Jensen. Total 1.

Excused: Lewis, Lucas. Total 2.

House Bill No. 175 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Beam, Beck, Boughton, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Kvaalen, Laas, Leuthold, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Shelden, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 64.

Noes: Aasheim, Adams, Bardanouve, Bashor, Blewett, Bradford, Brenner, Cummings, Egan, Eskildsen, Flynn, Gill, Goan, Harper, Judge, Keller, Lombardi, Lundgren, Murray, O'Hair, Rearden, Schepens, Seymour, Slaby, Spahr, Mr. Speaker. Total 26.

Absent or not voting: Jensen, Twedt. Total 2.

Excused: Lewis, Lucas. Total 2.

House Bill No. 191 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bashor, Beck, Blewett, Boughton, Brenner, Casey, Crum, Cummings, Deschamps, East, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Haines, Harper, Haughey, Hawks, Keller, Leuthold, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Smith, Spilde, Stranahan, Tooke, Turnage, Watt, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 52.

Noes: Bailey, Bardanouve, Beam, Bradford, Broeder, Davis, Dykstra, Egan, Flynn, Gill, Good, Hanks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Kvaalen, Laas, Lombardi, Lundgren, Osburnsen, Pierce, Rearden, Regan, Seymour, Shelden, Slaby, Smiley, Spahr, Swanz, Tracy, Twedt, Wayrynen, Welch. Total 37.

Absent or not voting: Jensen, Nutting, Thompson. Total 3.

Excused: Lewis, Lucas. Total 2.

House Bill No. 247 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Dykstra, Harper, Hibbard, O'Hair, Rosell. Total 5.

Absent or not voting: Haines, Jensen, McNamer. Total 3.

Excused: Lewis, Lucas. Total 2.

House Bill No. 384 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, East, Etchart, Falkenstern, Goan, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Judge, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nutting, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 51.

Noes: Aasheim, Bailey, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Healy, Johnson, Laas, Lombardi, Nelson, Nichols, Northey, O'Hair, Raundal, Rearden, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 40.

Absent or not voting. Jensen. Total 1.

Excused: Lewis, Lucas. Total 2.

House Bill No. 337 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: Murray. Total 1.

Absent or not voting: None.

Excused: Lewis, Lucas. Total 2.

House Joint Memorial No. 6 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Bailey, Jensen, Pierce. Total 3.

Excused: Lewis, Lucas. Total 2.

House Bill No. 367 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cum-

mings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Aasheim, Egan, Raundal, Wayrynen. Total 4.

Absent or not voting: Bailey, Jensen. Total 2.

Excused: Lewis, Lucas. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Goan of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bills Nos. 328 and 332 be passed until Monday, February 11.

That consideration of House Joint Memorial No. 4 and House Bill No. 261 be passed for the day.

That further consideration of House Bill No. 385 be passed for the day.

That House Bill No. 225 do pass.

That Senate Amendments to House Bill No. 65 be concurred in.

That House Bill No. 159 do pass.

That further consideration of House Joint Memorial No. 7 be indefinitely postponed.

That the Committee reconsider its action in passing consideration of House Bill No. 385 for the day.

That House Bill No. 385 be placed on General Orders.

That House Bill No. 385 be amended in Section 1 by striking out in lines 5 and 6, page 2 of the original bill, being line 21, page 2 of the printed bill, the words and figures: "sixty dollars (\$60) per day" and inserting in lieu thereof the words and figures "seven dollars fifty cents (\$7.50) per hour";

Be further amended in Section 1 by striking out in line 27, page 2 of the original bill, being line 39, page 2 of the printed bill, the words and figures "sixty dollars (\$60) per day", and inserting in lieu thereof the words and figures "seven dollars fifty cents (\$7.50) per hour";

And as amended, do pass.

That House Bill No. 179 do pass.

That House Bill No. 312 do pass.

That House Bill No. 133 do pass.

That House Bill No. 273 be amended in the title by striking out in line 14 of the original bill, being line 12 of the printed bill, the word "of" and inserting in lieu thereof the words and punctuation "; providing";

And as amended do pass.

That House Bill No. 249 do pass.

That consideration of House Bill No. 305 be passed for the day.

That House Bill No. 232 do pass.

GOAN, Chairman

Report adopted.

February 9, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 182, 243 and 233, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 9, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 137.

HARPER

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 4

Introduced by Wayrynen, Eskildsen, Harper, Shelden, Healy, Twedt, Bardanouve, Hanks, Lombardi.

A resolution of the House of Representatives of the 38th Legislative Assembly of the State of Montana directing the State Board of Examiners, the controlling agency of the electric voting machines of the house, to enter into a maintenance contract with the International Roll Call Corporation for the maintaining of the electric voting machines in the House of Representatives, and that the House of Representatives further check information in House Resolution No. 3 that was erroneous, and have it corrected.

Motion was made by Blewett that House Resolution No. 4 be referred to the Committee on Legislative Administration. Motion carried.

Motion was made by Blewett that the House adjourn until 1:30 p.m., Sunday, February 10, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 10, 1963

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Crum, Lewis and Zimmer, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

February 10, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 225, 402, 133, 385, 179, 232, 249, 312, 159 and 237.

HARPER

February 10, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 389, 107, 414, 224, 259, 304, 272, 348, and 239, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 be amended as follows:

In line 17 of page 4 of the original bill strike the period following the word "duration" and add the following:

" , and providing further that should the liquor control board determine that such lapse was reasonably beyond the control of the licensee then the lapse provision set out above shall not apply."

And as so amended, do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Memorial No. 14, respectfully report as follows: That House Joint Memorial No. 14 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 be amended as follows:

In line 23 of page 1 of the original bill following the word "spent" and before the word "in" insert the following words "as a patient."

And as so amended, do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do not pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 be amended as follows:

By deleting the word "such" after the comma in line 32 page 5, and inserting in lieu thereof the following: "unless immediately after having left such work he is employed by the same or another employer for a period in excess of three consecutive work weeks. Such"

And as amended, do pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 be amended as follows:

In line 18 of page 1 of the original bill strike the following words: "which permits upon its premises the consumption of beer or other alcoholic beverages for monetary profit without having secured a license for the sale of beer or alcoholic beverages under the provisions of sections 4-303, 4-317, 4-324, 4-329, 4-333, 4-349, 4-403 or 4-414 of the Revised Codes of Montana, 1947." and in lieu thereof substitute the words "maintaining premises, not licensed for the sale of beer or liquor, for a fee or other consideration, including the sale of food, mixes, ice, or any other fluids for alcoholic liquors, or otherwise furnishing premises for such purposes and from which they would derive revenue."

And as so amended, do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 be amended as follows:

In lines 27 and 28 of page 1 of the original bill strike the words "have passed the tenth (10th) school grade in an accredited high school." and in lieu thereof substitute the words "be a graduate of the eight (8th) school grade."

In line 3 of page 2 of the original bill strike the words and figures "twenty-four (24)." and substitute in lieu thereof the following words and figures "eighteen (18)."

In line 28 of page 2 of the original bill after the "comma" following the word "months" add the following: "or shall be a licensed cosmetologist who can show that he or she has been actively engaged as a cosmetologist for three continuous years prior to taking said instructor's examination,"

In line 32 of page 2 of the original bill following the word "the" before the word "supervision" insert the following words "direct personal."

And as amended, do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended as follows:

Amend Section 53-617, by deleting the following words in line 13, page 8 of the original bill: "In consideration of the right to use the

highways of the State of Montana," and capitalize the "t" in the word "there" in line 15.

And further amend Section 53-621.1 by striking all of that section as it now appears in the original bill in line 14, page 11.

"53-621.1. Disposition of sales tax. Each county treasurer in the State of Montana at the time of application to pay the taxes imposed under the provisions of Section 53-617, shall retain thirty-five per cent (35%) of the taxes so collected and the remaining sixty-five per cent (65%) shall be remitted monthly to the state treasurer of the State of Montana for deposit in the state highway general fund on forms to be furnished the county treasurer by the state highway commission of the State of Montana. The portion of the tax retained by the respective county treasurers as provided by this section shall be transferred at the end of each month to the road fund of said county and shall be used by the county for the purpose set forth in Section 53-122."

And insert in lieu thereof the following:

"Section 53-621.1. Disposition of sales tax. Each county treasurer in the State of Montana, at the time of the collection of the taxes imposed under the provisions of Section 53-617, shall retain, for the use of the county, twenty-five percent (25%) of the taxes so collected and the remaining seventy-five percent (75%) shall be distributed as follows: (a) fifty percent (50%) shall be remitted monthly to the state treasurer of the State of Montana for deposit in the state highway general fund on forms to be furnished the county treasurer by the state highway commission; (b) twenty-five percent (25%) shall be disbursed among the incorporated towns and cities within the county in proportion to the population that each such incorporated town or city has to the population of all incorporated towns and cities within the county. The population of such incorporated towns and cities shall be determined on the basis of the most recent official United States Census. Such proportion shall be calculated to the nearest one-tenth of one percent (1/10 of 1%).

And, as amended, do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do not pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do not pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do not pass.

LEUTHOLD, Chairman

Motion was made by Leuthold for adoption of the Committee report.

Substitute motion was made by Rehberg that House Bill No. 393 be printed and placed on General Orders. After debate, Bradford moved the previous question. Motion carried. Substitute motion by Rehberg failed to carry. Committee report adopted.

MOTIONS AND RESOLUTIONS

Wayrynen, having voted on the prevailing side, moved that the House reconsider its action of the previous day in adopting an adverse committee report on House Bill No. 106. Wayrynen requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the motion failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Bashor, Beck, Bradford, Brenner, Cummings, Davis, Dykstra, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Hibbard, Jensen, Johnson, Judge, Laas, Lombardi, Lucas, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Schye, Shelden, Slaby, Spahr, Stranahan, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch. Total 42.

Noes: Adams, Asbjornson, Bailey, Baldwin, Beam, Boughton, Broeder, Casey, Deschamps, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Holtz, Jenkins, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Rosell, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Weeks, Woodard, Wright, Mr. Speaker. Total 48.

Absent or not voting: Blewett. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

Motion was made by Kvaalen that House Bill No. 232 be taken from Third Reading and rereferred to the Committee on Appropriations. After debate, Blewett moved the previous question. Motion carried. Motion by Kvaalen failed to carry.

Motion was made by Wright that Substitute House Bill No. 139 be taken from Printing and rereferred to the Committee on Appropriations. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 65 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines,

Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 86.

Noes: Hanks. Total 1.

Absent or not voting: Jensen, Lundgren, Shelden, Turnage. Total 4.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 112 failed to pass by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Beam, Broeder, Davis, East, Eskildsen, Etchart, Garrison, Gill, Harper, Hawks, Hemstad, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, Nichols, Osburnsen, Pierce, Raundal, Rearden, Regan, Rosell, Schye, Seymour, Smiley, Thompson, Tooke, Turnage, Watt, Weeks, Woodward. Total 41.

Noes: Adams, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Goan, Good, Haines, Haughey, Healy, Jenkins, Johnson, Judge, Laas, Lombardi, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Rehberg, Reinecke, Schepens, Selstad, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tracy, Wayrynen, Welch, Wright, Mr. Speaker. Total 48.

Paired: Hanks, aye; Twedt, no.

Absent or not voting: None.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 137 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Pierce. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 225 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols,

Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Hawks. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 402 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Wright, Mr. Speaker. Total 88.

Noes: Keller, Weeks, Woodard. Total 3.

Absent or not voting: None.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 133 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Northey. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 385 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Wright, Mr. Speaker. Total 59.

Noes: Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Hemstad, Johnson, Judge,

Laas, Lombardi, Nichols, O'Hair, Raundal, Reinecke, Schepens, Shelden, Slaby, Smiley, Smith, Tracy, Twedt, Wayrynen, Woodard. Total 31.

Paired: Dykstra, aye; Zimmer, no.

Absent or not voting: None.

Excused: Crum, Lewis. Total 2.

House Bill No. 179 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Hawks, Wayrynen. Total 2.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 232 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Boughton, Bradford, Broeder, Deschamps, Dykstra, Falkenstern, Gill, Good, Haines, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Leuthold, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Mr. Speaker. Total 59.

Noes: Aasheim, Adams, Bardanouve, Beck, Blewett, Brenner, Casey, Cummings, Davis, East, Egan, Eskildsen, Etchart, Flynn, Garrison, Goan, Hanks, Hemstad, Kvaalen, Laas, Lund, Murray, Osburnsen, Raundal, Reinecke, Smiley, Smith, Spilde, Stranahan, Thompson, Wright. Total 31.

Absent or not voting: Johnson. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

House Bill No. 249 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Bradford, Brenner, Broeder, Cummings, Deschamps, Dykstra, Eskildsen, Etchart, Goan, Good, Haines, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Mr. Speaker. Total 72.

Noes: Bashor, Beck, Boughton, Casey, Davis, East, Egan, Falkenstern, Flynn, Garrison, Gill, Hanks, Jensen, Murray, Raundal, Smith, Woodard, Wright. Total 18.

Absent or not voting: Hawks. Total 1.

Excused: Crum, Lewis, Zimmer. Total 3.

Motion was made by Blewett that consideration of House Bill No. 312 on Third Reading be passed for the day. Motion carried.

House Bill No. 169 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Good, Hanks, Harper, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Mr. Speaker. Total 69.

Noes: Aasheim, Adams, Bardanoue, Bradford, Brenner, Casey, Falkenstern, Goan, Haines, Hemstad, Keller, Lund, Nash, Rosell, Selstad, Smiley, Spilde, Stranahan, Woodard, Wright. Total 20.

Paired: Zimmer, aye; Haughey, no.

Absent or not voting: Nutting. Total 1.

Excused: Crum, Lewis. Total 2.

House Bill No. 237 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 73.

Noes: Bradford, Brenner, Cummings, Eskildsen, Flynn, Harper, Kvaalen, Laas, O'Hair, Osburnsen, Raundal, Shelden, Spahr, Stranahan, Watt, Wayrynen. Total 16.

Absent or not voting: Aasheim, Rearden. Total 2.

Excused: Crum, Lewis, Zimmer. Total 3.

February 10, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 349, 317, 345, 352, 262, Substitute House Bill No. 131 and Substitute House Joint Memorial No. 8 beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Smiley of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Joint Memorial No. 4 be passed until February 14, 1963.

That House Bill No. 261 do pass.

That consideration of House Bill No. 305 be passed for the day.

That House Bill No. 182 do pass.

That House Bill No. 243 do pass.

That House Bill No. 233 do pass.

SMILEY, Chairman

Report adopted.

February 10, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 194, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House adjourn until 9:30 a.m., Monday, February 11, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 11, 1963

House convened, pursuant to adjournment, at 9:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Asbjornson and Dykstra, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-fifth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

February 11, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 182, 261, 243 and 233.

HARPER.

February 11, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 392, 377, 152, 386, 324 and Substitute House Bill No. 295, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 be amended as follows:

By striking subsection 13 from section 1 on page 5 of the original bill, lines 10 through 24.

And as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do not pass, but that

Substitute House Bill No. 71, a bill for an act entitled: "An act to provide that all meetings of public or governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public and providing exceptions."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do not pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended as follows:

Amend in line 2, page 3 of the original bill, following the stricken word "hundred" by striking the words "one thousand" and inserting in lieu thereof the words and figures "seven hundred and fifty dollars (\$750.00)"

Amend in line 11, page 3 of the original bill, following the words and figures "seven hundred dollars (\$3700)" and inserting in lieu thereof the words and figures "five hundred dollars (\$3500.00)"

Amend in lines 16 and 17, page 3, following the stricken figures "\$3,000" strike the words and figures "four thousand dollars (\$4,000)", and insert in lieu thereof the words and figures "thirty-eight hundred dollars (\$3,800.00)"

Amend in lines 21 and 22, page 3, following the stricken figures "\$3,600.00)" strike the words "five thousand four hundred dollars (\$5,400)" and insert in lieu thereof the words and figures "four thousand eight hundred dollars (\$4,800.00)"

And, as amended, do pass.

ADAMS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 be amended as follows:

Amend Section 4 by striking out in line 25 of the original bill, subsection (2) the words, "The Commissioner of Agriculture or a person designated by him." and inserting in lieu thereof the words "a member of the veterinary medical profession who is licensed to practice in Montana, to be appointed by the governor."

And to further amend in Section 11 by striking out in line 9 of the original bill, section 11, the word "may" and inserting in lieu thereof the word, "shall"

And to further amend in Section 16 by striking out in line 13 of the original bill the word "may" following the word "and" and inserting in lieu thereof the word "shall".

And as amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do not pass.

KELLER, Chairman.

Motion was made by Keller for adoption of the committee report.

Substitute motion was made by Tracy that House Bill No. 95 be printed and placed on General Orders. Tracy requested that a roll call vote be taken and that the results thereof be recorded in the Journal. After debate, Mathers moved for the previous question. Motion carried.

A sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Bardanouve, Bradford, Cummings, Davis, Egan, Eskildsen, Flynn, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Raundal, Rearden, Schepens, Schye, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 31.

Noes: Adams, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Deschamps, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Selstad, Seymour, Smiley, Spilde, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 57.

Absent or not voting: Aasheim, Gill, Smith, Swanz. Total 4.

Excused: Asbjornson, Dykstra. Total 2.

Original motion by Keller carried. Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 be amended as follows:

In the title, line 6, of the original bill, after the word amend and before the numbers 81-908, the word "section" be added.

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do not pass.

LEUTHOLD, Chairman.

Motion was made by Leuthold for adoption of the committee report.

Substitute motion was made by Schye that House Bill No. 362 be printed and placed on General Orders. After debate, Wayrynen moved the previous question. Motion carried. Bashor requested a roll call vote on the substitute motion and that the results thereof be recorded in the Journal. A sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Baldwin, Bashor, Beam, Beck, Boughton, Broeder, Casey, Crum, East, Falkenstern, Haines, Hawks, Hemstad, Laas, Lucas, Lundgren, Mathers, Nash, Nichols, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Weeks, Wright. Total 34.

Noes: Aasheim, Adams, Bailey, Bardanouve, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lewis, Lombardi, Lund, McNamer, Nelson, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Seymour, Shelden, Slaby, Spahr, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 56.

Absent or not voting: Kvaalen, Murray. Total 2.

Excused: Asbjornson, Dykstra. Total 2.

MESSAGES FROM THE SENATE

February 9, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Substitute Senate Bill No. 9, introduced by Committee on Judiciary.

Senate Bill No. 34, introduced by Schoonover, Siderius, Ullom.

Substitute Senate Bill No. 120, introduced by Committee on Stock-growing and Grazing.

Senate Joint Resolution No. 14, introduced by Hauk, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haines that Senate Joint Memorial No. 2 be taken from the Committee on Constitution, Elections and Federal Relations and rereferred to the Committee on Townships and Counties. Motion carried.

Wayrynen, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 362.

Substitute motion was made by Eskildsen that the motion by Wayrynen that the House reconsider its action on House Bill No. 362 be laid on the table. Substitute motion carried.

Harper, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 268. Harper requested a Call of the House, with a roll call vote recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. Progress being reported, Harper moved the Call of the House be dispensed with. Motion carried.

Substitute motion was made by Keller that the motion by Harper that the House reconsider its action on House Bill No. 268 be laid on the table. Sheldon requested a roll call vote with the results thereof to be recorded in the Journal.

Motion was made by Blewett that the House stand in recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker informed the House that the motion presently pending before it was the substitute motion by Keller that the motion that the House reconsider its action in adopting an adverse committee report on House Bill No. 268 be laid on the table. Roll call vote was taken, and the substitute motion carried by the following vote:

Ayes: Adams, Baldwin, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Woodard, Wright, Mr. Speaker. Total 52.

Noes: Aasheim, Bailey, Bardanouve, Bashor, Bradford, Brenner, Broeder, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Lewis, Lombardi, Lundgren, Murray, O'Hair, Osburnsen, Raundal, Schepens, Sheldon, Slaby, Spahr, Stranahan, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 36.

Absent or not voting: Rearden, Turnage, Watt, Weeks. Total 4.

Excused: Asbjornson, Dykstra. Total 2.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Substitute Senate Bill No. 9, introduced by Committee on Judiciary: A bill for an act entitled: "An act amending Section 93-901, R. C. M. 1947, relating to the disqualification of judicial officers." Referred to Committee on Judiciary.

Senate Bill No. 34, introduced by Schoonover, Siderius, Ullom: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities; establishing procedures for developing employment standards; providing bargaining machinery and fact finding provisions." Referred to Committee on Public Health, Welfare and Safety.

Substitute Senate Bill No. 120, introduced by the Committee on Stock-growing and Grazing: A bill for an act entitled: "An act to provide for

reciprocal agreements with other states waiving citizenship requirements for auctioneers and providing for the place of posting bond by non-resident auctioneers." Referred to Committee on Livestock and Ranges.

Senate Joint Resolution No. 14, introduced by Hauk, Carney, Nees, Moberly, Breen, Melcher, Siderius, Rieder, Huntley, McElwain, Grieve: A joint resolution requesting the state highway commission to cooperate with the counties and cities in adopting a uniform manual for signs and traffic devices throughout the state. Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that consideration of House Bill No. 312 be passed on Third Reading for this sitting. Motion carried.

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 182 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Goan, Haughey. Total 2.

Absent or not voting: Garrison, Weeks. Total 2.

Excused: Asbjornson, Dykstra. Total 2.

House Bill No. 261 was passed by the following vote:

Ayes: Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Aasheim, Brenner. Total 2.

Absent or not voting: Garrison, Haines, Watt. Total 3.

Excused: Asbjornson, Dykstra. Total 2.

House Bill No. 243 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer,

Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: Blewett, Bradford, Seymour. Total 3.

Absent or not voting: None.

Excused: Asbjornson, Dykstra. Total 2.

House Bill No. 233 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Welch, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: East, Etchart, Laas, Lewis, Lombardi, Raundal, Schepens, Shelden, Slaby, Twedt. Total 10.

Absent or not voting: Gill, Weeks, Woodard. Total 3.

Excused: Asbjornson, Dykstra. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House pass consideration of General Orders for this sitting. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p. m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do not pass, but that

Substitute House Bill No. 101, A bill for an act entitled: "An act providing for supplemental publication by radio broadcast and television broadcast of a summary of any notice required by law to be published by any official of the state or any of its political subdivisions."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do pass.

KVAALEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Blewett, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 347. Motion carried.

Motion was made by Blewett that House Bill No. 347 be rereferred to the Committee on Public Health, Welfare and Safety. Motion carried.

Motion was made by Dykstra that Substitute House Joint Memorial No. 8 be taken from General Orders and rereferred to the Committee on Business and Industry. Motion carried.

Motion was made by Blewett that House Bill No. 305 be taken from General Orders and rereferred to the Committee on Highways. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following was introduced, read first and second times, and referred to the Committee on Public Health, Welfare and Safety:

House Joint Memorial No. 17, introduced by Watt, Pierce, Aasheim, Bailey: A joint memorial of the Senate and House of Representatives of the state of Montana to the President of the Senate and to the Speaker of the House of Representatives of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the state of Montana, urging passage of legislation to regulate, restrict, or prohibit the advertising of alcoholic beverages in the United States.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

House Bill No. 312 was passed by the following vote:

Ayes: Aasheim, Bailey, Baldwin, Bardanouve, Beam, Beck, Boughton, Broeder, Crum, Davis, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Hawks, Healy, Hibbard, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Shelden, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Watt, Wayrynen, Welch, Woodard, Wright, Mr. Speaker. Total 65.

Noes: Adams, Bashor, Blewett, Bradford, Brenner, Cummings, Dykstra, Etchart, Harper, Haughey, Hemstad, Holtz, Keller, Laas, Murray, Rearden, Regan, Seymour, Slaby, Smiley, Spahr, Turnage, Twedt, Zimmer. Total 24.

Absent or not voting: Casey, Kvaalen, O'Hair, Weeks. Total 4.

Excused: Asbjornson. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Regan of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 328 do pass.

That House Bill No. 332 do pass.

That House Bill No. 389 be placed at the bottom of the calendar.

That House Bill No. 107 do pass.

That House Bill No. 414 be amended in section 3 by striking out in line 15, page 4 of the original bill, being line 46, page 4 of the printed bill, the figures "\$89,046.00" and "\$94,652.00" and inserting in lieu thereof the figures "\$89,796.00" and "\$95,402.00";

And as amended, do pass.

That House Bill No. 224 do pass.

That House Bill No. 259 do pass.

That House Bill No. 304 do pass.

That House Bill No. 272 do pass.

That House Bill No. 348 do pass.

That House Bill No. 239 do pass.

That House Bill No. 349 do pass.

That House Bill No. 317 be amended in section 7 by striking out in lines 7 and 8, page 4 of the original bill, being lines 5 and 6, page 4 of the printed bill, the following words and figures "Twelve thousand dollars (\$12,000.00)" and inserting in lieu thereof the words and figures "Ten thousand dollars (\$10,000.00)";

And as amended, do pass.

That consideration of House Bill No. 345 be passed for the day.

That further consideration of House Bill No. 352 be indefinitely postponed.

That consideration of House Bill No. 262 be passed for the day.

That further consideration of Substitute House Bill No. 131 be passed for the day.

That further consideration of House Bill No. 194 be passed for the day.

That House Bill No. 389 do pass.

Report adopted.

REGAN, Chairman.

February 11, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 213, 45, 387 and 320, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 11, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 302, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Tuesday, February 12, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 12, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Goan and Thompson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 12, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 107, 304, 272, 317, 332, 224, 328, 389, 259, 349 and 348.

HARPER

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 286, 356 and 369 and House Joint Resolution No. 9, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do not pass, but that

Substitute House Bill No. 222, a bill for an act entitled: "An act amending section 16-1803, R.C.M. 1947, to permit county commissioners to contract for purchases up to the amount of five thousand dollars (\$5,000.00) without calling for bids."

Do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 be amended as follows:

In lines 6 and 7 of Section 1 of the printed bill, being line 19 of page 1 of the original bill as previously amended by the committee on Judiciary on February 6, 1963, by striking "gross, wilful, or wanton negligence" and inserting in lieu thereof the words "gross negligence or by wilful or wanton acts or omissions."

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 be amended as follows:

In Section 1, page 2, line 25 of the original bill, being Section 1, page 2, line 40 of the printed bill by adding after the word "bonds" the following "or other securities."

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be amended as follows:

By amending the title by adding after the word "bonds" the following "or other securities."

And be further amended in Section 2, page 1, line 21 of the original bill which is page 1, line 6 of the printed bill by adding after the word "bonds" the following "or other securities."

And be further amended in Section 2, page 1, after line 23 of the original bill which is after line 9 of the printed bill by adding the following:

"(3) Upon the retirement of these bonds or other securities, this money shall revert to the general fund and the industrial school building fee fund shall be abolished."

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 be amended as follows:

By amending the title after the word "bonds" by adding the following "or other securities."

And be further amended in Section 1, page 3, line 7 of the original bill, being page 3, line 49 of the printed bill after the word "bonds" by adding the following "or other securities."

And be further amended in Section 1, page 3, line 11 of the original bill, being page 3, line 53 of the printed bill by adding after the word "bonds" the following "or other securities".

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do not pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 be amended as follows:

Amend Section 1, in line 9, page 1 of the original bill by striking out the words "Except as otherwise specifically provided by law,".

Amend further in Section 1, line 10, page 1 of the original bill by capitalizing the word "It."

Amend further in Section 1, in lines 15 and 16, page 1 of the original bill by deleting the words "as provided in section 26-324, R. C. M. 1947," and inserting in lieu thereof the words "by fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, and the enforcement of this act shall be the responsibility of all local peace officers as well as fish and game wardens."

And as amended, do pass.

PIERCE, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 11, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House.

House Bill No. 78 introduced by Leuthold

House Bill No. 342 introduced by Blewett, Selstad, Holtz, Seymour, Keller

House Joint Memorial No. 12, introduced by Hawks, Keller, Hazelbaker, Blewett, Wayrynen, Stranahan, Weeks, Rosell, Spahr, Regan

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 11, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 81, introduced by Tracy, Healy, Lombardi, Deschamps, Good, Haines, Weeks, Seymour

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 11, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and is herewith returned to the House:

Substitute House Bill No. 18 introduced by Committee on Affairs of Cities

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 11, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 59 introduced by McDonnell

Senate Bill No. 160 introduced by McKeon, Breen, Hauk, Moberly

Senate Bill No. 194 introduced by Hafferman, McGowan, Rieder, O'Neill, Durkee

Senate Joint Memorial No. 3 introduced by Gerard, Brenner, Balgord, McGowan, McElwain

Senate Joint Memorial No. 8 introduced by Gerard, Brenner, Schoonover, Lehrkind

Senate Joint Resolution No. 13 introduced by Carney, Grieve, Brenner, McGowan

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Wayrynen, having voted on the prevailing side, moved that the House reconsider its action in adopting the Committee of the Whole report of the previous day. After debate, Haines moved the previous question. Motion carried. Motion by Wayrynen failed to carry.

Lucas, having voted on the prevailing side, moved that the House reconsider its action in adopting the Committee of the Whole report of

the previous day. The motion was ruled out of order, and unanimous consent of the Assembly was not granted to allow Lucas to make his motion.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 17, introduced by Holtz, Selstad, Hibbard, Dykstra, Schye, Jensen: A joint resolution of the Senate and House of Representatives requesting that the Legislative Council conduct a study of the feasibility of administratively consolidating the retirement systems of all public employees in Montana. Referred to Committee on State Administration.

House Joint Resolution No. 18, introduced by Beam, Haughey: A joint resolution of the Senate and House of Representatives expressing the gratitude of all citizens to all the persons who have given so generously of their time and material means to aid and assist Rick Hutton and his parents. Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 59, introduced by McDonnell: A bill for an act entitled: "An act amending section 80-304, R.C.M. 1947, relating to the Board of Managers of the State Soldier's Home." Referred to Committee on State Administration.

Senate Bill No. 160, introduced by McKeon, Breen, Hauk, Moberly: A bill for an act entitled: "An act to amend section 32-1615, R.C.M. 1947, to provide that the highway department shall prepare and file a plat in the same manner as a natural person whenever a parcel of land taken for highway use is such a shape or size to come under the provisions of 11-614." Referred to Committee on Highways.

Senate Bill No. 194, introduced by Hafferman, McGowan, Rieder, O'Neill, Durkee: A bill for an act entitled: "An act relating to the supplying of electric service, restricting duplication of such service, and providing for the continuance of such service in urban areas." Referred to Committee on Business and Industry.

Senate Joint Memorial No. 3, introduced by Gerard, Brenner, Balgord, McGowan, McElwain: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, representatives from the State of Montana; to the Secretary of the Interior and to the United States Bureau of Reclamation, urging the passage of legislation to amend the Reclamation Act and any other laws or rules, to waive the application of the land limitation clause in the area above Canyon Ferry Dam in the State of Montana. Referred to Committee on Agriculture and Irrigation.

Senate Joint Memorial No. 8, introduced by Gerard, Brenner, Schoonover, Lehrkind: A joint memorial of the Senate and House of Representatives requesting restrictions on the use of motor vehicles on public lands located in Montana. Referred to Committee on Fish and Game.

Senate Joint Resolution No. 13, introduced by Carney, Grieve, Brenner, McGowan: A joint resolution of the Senate and House of Representatives directing the State Board of Land Commissioners to equalize the amount of state land in the various counties of this state. Referred to Committee on Townships and Counties.

February 12, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 414 and 239.

HARPER

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 94 and Substitute House Bill No. 7, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

THIRD READING OF HOUSE BILLS

Motion was made by Tracy that consideration of House Bill No. 349 on Third Reading be passed for the day. Motion failed to carry.

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 107 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Beam, Beck, Blewett, Bradford, Casey, Crum, Davis, Dykstra, East, Etchart, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Holtz, Jensen, Johnson, Judge, Keller, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nelson, Northey, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 62.

Noes: Adams, Baldwin, Bashor, Boughton, Brenner, Broeder, Cummings, Deschamps, Egan, Eskildsen, Falkenstern, Jenkins, Kvaalen, Laas, Lundgren, Nash, Nichols, Nutting, Raundal, Reinecke, Rosell, Schepens, Smith, Stranahan, Wayrynen, Wright, Zimmer. Total 27.

Absent or not voting: Garrison, Hibbard. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 304 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Haughey. Total 1.

Absent or not voting: Garrison, Hibbard. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 272 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps,

Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Adams, Bardanouve, Broeder, Smiley. Total 4.

Absent or not voting: Garrison. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 317 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Casey, Crum, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schye, Seymour, Shelden, Slaby, Smiley, Spahr, Stranahan, Swanz, Tooke, Twedt, Watt, Wright, Mr. Speaker. Total 62.

Noes: Baldwin, Boughton, Brenner, Broeder, Cummings, Davis, Egan, Hanks, Harper, Haughey, Jensen, Laas, Lundgren, Nutting, O'Hair, Raundal, Reinecke, Schepens, Selstad, Smith, Spilde, Tracy, Turnage, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 28.

Absent or not voting: Garrison. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 332 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Gill, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Eskildsen, Flynn, Hanks, Harper, Lombardi, Nutting, O'Hair, Selstad, Slaby, Smiley, Wayrynen. Total 11.

Absent or not voting: Garrison. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 224 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Lewis, Lombardi, Lucas, Lund, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Sel-

stad, Seymour, Slaby, Smith, Spahr, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 76.

Noes: Boughton, Broeder, Deschamps, Haines, Haughey, Kvaalen, Leuthold, Lundgren, Mathers, Murray, Raundal, Shelden, Smiley, Spilde. Total 14.

Absent or not voting: Garrison. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 328 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Selstad, Slaby, Smiley, Smith, Wayrynen. Total 5.

Absent or not voting: O'Hair. Total 1.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 389 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 75.

Noes: Bardanouve, Cummings, Davis, Egan, Hanks, Harper, Johnson, Laas, Leuthold, Lombardi, Nichols, Nutting, Raundal, Schepens, Slaby, Twedt. Total 16.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 259 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Flynn, Garrison, Gill, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Turnage, Watt, Weeks, Woodard, Wright, Mr. Speaker. Total 71.

Noes: Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Es-

kildsen, Good, Hanks, Harper, Healy, Johnson, Lombardi, Raundal, Slaby, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 20.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 349 was passed by the following vote:

Ayes: Bailey, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Hibbard, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Murray, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 58.

Noes: Adams, Asbjornson, Baldwin, Beam, Boughton, Casey, East, Etchart, Falkenstern, Haines, Haughey, Hawks, Hemstad, Holtz, Jenkins, Keller, Kvaalen, Lund, Nash, Nelson, Nutting, Reinecke, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Tooke, Weeks, Woodard, Wright. Total 33.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 348 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Etchart. Total 1.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 414 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Cummings, Egan, Schepens. Total 3.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

House Bill No. 239 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hiebard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bailey, Boughton, Flynn. Total 3.

Absent or not voting: Haines, Murray. Total 2.

Excused: Aasheim, Goan, Thompson. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 345 do pass.

That consideration of House Bill No. 262 be placed at the bottom of the calendar.

That Substitute House Bill No. 131 be amended in Section 4, Subsection G (3) by deleting in line 11, page 11 of the original bill, being line 47, page 12 of the printed bill, the interlineation and the parentheses around the words "used car" and in lines 11, 12, 13 and 14, page 11 of the original bill, being lines 49, and 50, page 12 of the printed bill, the interlineation and the parentheses around the words "shall have a building as an established place of business and need no facilities for repair, maintenance, and reconditioning of used car, and";

And as amended, do pass.

That House Bill No. 194 do pass.

That the Committee rise and report.

ROSELL, Chairman

Report adopted.

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 276, 271, 277, House Joint Memorial No. 5 and Substitute House Bill No. 71, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Joint Memorial No. 15, respectfully report as follows: That House Joint Memorial No. 15 be amended as follows:

Amend the title, line 6, page 1, of the original bill, following the word "the" by striking the word "area" and inserting in lieu thereof the words "county seat of each county";

Further amend the title, line 7, page 1, following the word and comma "dams," by striking the words "wilderness areas" and inserting in lieu thereof the words "wildlife preserves, migratory bird refuges";

Further amend on line 9, page 1, following the word "when" by striking the words "wilderness, primitive or game reservations and areas" and inserting in lieu thereof the words "dams, wildlife preserves, migratory bird refuges or parks";

Further amend on line 14, page 1, following the word "timber" by striking the word "leasing" and inserting in lieu thereof the word "harvesting";

Further amend on line 18, page 1, following the words "large and" by striking the word "they" and inserting in lieu thereof the words "the communities";

Further amend on line 17, page 1, following the words "as well as" by striking the word "economical" and inserting in lieu thereof the word "economic";

Further amend on lines 18 and 19, page 1, following the word "live-stock" by striking the words "or agricultural products" and inserting in lieu thereof the words "or other products derived from multiple uses";

Further amend on line 20, page 1, following the word "water" by striking the words "rights and sources" and inserting in lieu thereof the word "historically";

Further amend on line 21, page 1, following the word "used" by striking the words "for long periods of time";

Further amend in lines 25 through 28, page 1, by striking the following: "Whereas, in most cases the detrimental economic effect in borne chiefly by ranchers, often resulting in the loss of hay land, grazing, timber, mining and other privileges, which are absolutely necessary to the ranching operation, and"

Further amend on line 29, page 1, following the word "only" by striking the word "resulted" and insert in lieu thereof the words "would result";

Further amend on line 30, page 1, following the words "would in" by striking the word "fact" and inserting in lieu thereof the words "many cases";

Further amend on line 1, page 2, following the word "present" by striking the word "ranching" and inserting in lieu thereof the words "multiple use";

Further amend on line 2, page 2, following the words "and a" by striking the word "badly";

Further amend on lines 4 through 7 by striking the following: "Whereas, public hearings should be held by the appropriate agencies prior to the taking of any private lands or federal and state leased lands, and such hearings should be held in the principal areas where such land was located, and";

Further amend on line 12, page 2, following the word "the" by striking the words "interior department" and inserting in lieu thereof the words "federal government";

Further amend on line 12, page 2, following the word "not" by striking the words "allowed to";

Further amend on line 14, page 2, following the word "suffer" by inserting the word "undue";

Further amend on lines 15 through 21, page 2, by striking the following: "Whereas, the stipulation that no motor vehicles be used in the wilderness areas is, in effect, economic discrimination against a large segment of the population because most persons cannot afford the necessary pack animals to use the area, and";

"Whereas, the present multipurpose use of such areas is often to the best advantage of the rancher, the sportsman, and the local community in general";

And further amend in line 25, page 2, following the words "in the" by striking the word "areas" and inserting in lieu thereof the words "county seat of each county";

And further amend on line 26, page 2, following the word "dam" by striking the words "wilderness area" and inserting in lieu thereof the following "wildlife preserve, migratory bird refuge";

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 12, 1963

Mr. Speaker:

The President this day appointed the following bi-partisan Committee of six Senators to act with a like Committee of the House to submit subjects for study by the Legislative Council.

Senator Dussault

Senator Melcher

Senator Durkee

Senator McDonnell

Senator Brenner

Senator Mackay

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

INTRODUCTION OF BILLS AND MEMORIALS

The following was introduced, read first and second times, and referred to the Committee on Education:

House Joint Resolution No. 19, introduced by Beam, Kvaalen, Smiley: A joint resolution of the Senate and House of Representatives expressing opposition to the so-called "character traits" tests given to school children. Referred to Committee on Education.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 392 do pass.

That consideration of House Bill No. 152 be passed for the day.

That House Bill No. 386 do pass.

That House Bill No. 324 do pass.

That further consideration of House Bill No. 377 be indefinitely postponed.

That Substitute House Bill No. 295 do pass.

That House Bill No. 213 do pass.

That House Bill No. 45 do pass.

That House Bill No. 387 do pass.

That House Bill No. 320 do pass.

That House Bill No. 302 do pass.

That consideration of Senate Bill No. 36 be passed for the day.

That House Bill No. 262 be amended in Section 9 by striking out in line 18, page 9 of the original bill, being line 1, page 10 of the printed bill, after the word "any" the word "unlawful" and inserting in lieu thereof the word "lawful";

And as amended, do pass.

ROSELL, Chairman

Motion was made by Rosell for adoption of the Committee report.

Substitute motion was made by Keller that House Bill No. 377 be segregated from the Committee of the Whole Report. Hawks requested a Call of the House and there being sufficient seconds, the Speaker ordered a Call of the House. Progress being reported, Hawks moved the Call of the House be dispensed with. Motion carried. Keller requested that a roll call vote be taken with the results thereof to be recorded in the Journal. Sufficient seconds arose, roll call vote was taken and the motion failed to carry by the following vote:

Ayes: Bardanoue, Bradford, Davis, Eskildsen, Gill, Good, Harper, Healy, Johnson, Lewis, Lombardi, Northey, O'Hair, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Wayrynen, Welch, Mr. Speaker. Total 24.

Noes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dyk-

stra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Haines Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Nutting, Osburnsen, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Stranahan, Swanz, Tookey, Turnage, Watt, Weeks, Woodard, Wright, Zimmer. Total 64.

Absent or not voting: Beck, Raundal, Spilde. Total 3.

Excused: Aasheim, Goan, Thompson. Total 3.

Motion was made by Hawks that House Bill No. 320 be segregated from the Committee of the Whole report. Schye requested a Call of the House and there being sufficient seconds, the Speaker ordered a Call of the House. Progress being reported, Schye moved the Call of the House be dispensed with. Motion carried. Hawks requested that a roll call vote be taken with the results thereof to be recorded in the Journal. Sufficient seconds arose, roll call vote was taken, and the motion carried by the following vote:

Ayes: Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Crum, Deschamps, Dykstra, East, Falkenstern, Garrison, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Tookey, Turnage, Weeks, Woodard, Zimmer, Mr. Speaker. Total 51.

Noes: Adams, Bailey, Bardanouve, Bashor, Bradford, Brenner, Casey, Cummings, Davis, Egan, Eskildsen, Etchart, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Wright. Total 40.

Absent or not voting: None.

Excused: Aasheim, Goan, Thompson. Total 3.

Committee of the Whole report adopted as amended.

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 143, 204, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 217, 338, 105 and 98, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 12, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 144, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 12, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 345 and 194 and Substitute House Bill No. 131.

HARPER

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Hawks that further consideration of House Bill No. 320 be indefinitely postponed. Motion carried.

Haughey, having voted on the prevailing side, moved that the House reconsider its action in indefinitely postponing House Bill No. 320.

Substitute motion was made by Haines that the motion by Haughey that the House reconsider its action in indefinitely postponing House Bill No. 320 be laid on the table. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday, February 13, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Crum and Hawks, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 be amended as follows:

In the title thereof on page 1, line 9, after the figures "84-302", by adding the figures "84-305, 84-306".

Be further amended in Section 7, page 5, line 18, after the words "class 6" by striking the words "Forty per cent of its (matter deleted) assessed value." and inserting in lieu thereof the words "Tax now imposed on the basis provided in section 84-308."

Be further amended by adding a new section 8 following the present section 7, page 5, which shall read:

"Section 8. Section 84-305, R.C.M. 1947, is amended to read as follows:

"84-305. Deductions in determining moneyed capital. (matter deleted) "In the determination of true value" of moneyed capital for taxation, there shall be deducted from the amount of bonds, notes, and other evidence of

indebtedness the amount of any deposit and any indebtedness representing money borrowed for use as money capital."

Be further amended by adding a new section 9 following new section 8, page 5, which shall read:

"Section 9. Section 84-306, R.C.M. 1947, is amended to read as follows:

"84-306. Book value of real estate of national banks deducted in (matter deleted) "determining true value of shares. (matter deleted) In the determination of true value" of the shares of a national bank for the purpose of taxation there shall be deducted the book value of all real estate of said bank, which shall be assessed to said bank."

Be further amended in present section 8, page 5, line 22, after the words "as follows", by striking all of the remainder of such section and inserting in lieu thereof the following:

"84-307. Determination of true value of shares of state banks—deductions. In the determination of true value of the shares of all state banking corporations engaged in the banking business in Montana for the purpose of taxation there shall be deducted the book value of the real estate, moneyed capital and other property of any such bank assessed and taxed as the property of said bank."

Be further amended in present section 9, page 6, line 8, after the stricken words "true and full", by striking the word "assessed" and inserting in lieu thereof the word "true"; by adding the words "of assessed value" after the words and figures "seven per centum (7%)" on line 9; and by striking the word "assessed" after the words "true and full" on line 10 and inserting in lieu thereof the word "true".

Be further amended in present section 16, page 11, line 29, after the words "ascertained by", by striking the words "deducting the assessed value of the loan from the assessed value of the shares." and inserting in lieu thereof the words "determining the assessed value of the sum computed by deducting the amount of the loan from the true value of the shares".

Be further amended in present section 21, page 15, line 15, after the words "such business," by striking the words "such moneyed capital to be ascertained as provided by section 84-301" and inserting in lieu thereof the words "as provided in section 84-308"; and by striking the words "except to the extent that that value is represented in property which is assessable and taxable to such bank or banking corporation in this state," after the words "assessed value" on page 16, line 8 of such section.

And be further amended by re-numbering present sections 8 through 26 as sections 10 through 28.

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do not pass, but that

Substitute House Bill No. 413—Introduced by Committee on Judiciary—A bill for an act entitled: "An act to amend section 84-708, R.C.M. 1947, relating to the powers and duties of the State Board of Equalization; requiring the State Board of Equalization to call an annual meeting of all county assessors; providing for area schools for appraisers and assessors; and requiring one or more members of the State Board of

Equalization to visit one fourth ($\frac{1}{4}$) of the counties of the state annually and visit each county at least once every four (4) years."

Do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do not pass, but that

Substitute House Bill No. 305, a bill for an act entitled: "An act to amend section 31-135, R.C.M. 1947, to provide for an examination for an applicant for renewal of an operator's or chauffeur's license on a time interval basis; and providing an effective date."

Do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do not pass, but that

Substitute House Bill No. 408—Introduced by Committee on Judiciary—A bill for an act entitled: "An act authorizing the State Board of Equalization, commencing in 1965, to determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments, or to apportionment of railroad, airline, utility and other assessments made by the state board; providing that the county treasurer in such county which the county ratio is less than the state ratio shall compute the taxes collected from mill levies on net proceeds assessments and on apportionments of railroad, airline, utility and other assessments made by the state board and shall remit to state treasurer for the State Public School Equalization Fund that percentage of such tax collections by which the state ratio exceeds the county ratio."

Do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass, but that

Substitute House Bill No. 16—Introduced by Committee on Judiciary—A bill for an act entitled: “‘The Realty Certificate Act’ providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947.”

Do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 be amended as follows:

Amend Section 1, line 23, page 1 of the original bill by deleting the figure “1963” and substituting therefor the figure “1965”.

Further amend Section 1, line 28, page 1 of the original bill by deleting the word “preceding” and substituting therefor the word “current”.

Amend Section 2, line 1, page 2 of the original bill by deleting the figures “75-3616 (1)” and substituting therefor the figures “75-3616.1”.

Further amend Section 2, line 2, page 2 of the original bill by deleting the figures “75-3616 (1)” and substituting therefor the figures “75-3616.1”.

Further amend Section 2, lines 2 through 28, page 2 of the original bill by deleting the underlining.

Amend Section 5, lines 4 and 5, page 3 of the original bill by deleting said Section 5 in its entirety.

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 be amended as follows:

In Section 3, page 2, line 10 of the original bill, by deleting the words “sales-assessment” therefrom.

In Section 5, page 2, lines 29 and 30 of the original bill, by deleting the words “between August 1st and August 15th. On August 15th the”, inserting in lieu thereof the words “on or before August 15th. The”.

In Section 7, page 3, line 14, of the original bill by deleting the word “shall”, and by inserting in lieu thereof the words “may in its discretion”.

In Section 7, page 3, line 26 of the original bill by inserting the words “in the assessment, equalization, levy, collection, and payment of taxes” after the word “commissioners”.

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 403, respectfully report as follows: That That House Bill No. 403, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 be amended as follows:

Amend the title in line 13, page 1 of the original bill by inserting after the words "total amount" the words ", excluding bond interest and sinking funds,"

Amend Section 1, line 24, page 4 of the original bill after the word "amount" the words: ", excluding bond interest and sinking funds,"

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 be amended as follows:

Amend the title in line 11, page 1 of the original bill by inserting after the words "total amount" the words ", excluding bond interest and sinking funds,"

Amend Section 1, line 32, page 3 of the original bill after the word "amount" the words: ", excluding bond interest and sinking funds,"

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be amended as follows:

In Section 1, line 8, page 1 of the original bill by inserting after the word "members" the following punctuation and words: ", one of whom shall have construction experience,"

In Section 1, line 12, page 2 of the original bill by adding after the word "appropriation" the following sentence: "The appointment of such members shall be submitted by the governor to the Senate for confirmation when the Senate next shall be in session after such appointment."

In Section 2, line 22, page 2 of the original bill by striking out the period following the word "districts" and inserting in lieu thereof a comma and inserting immediately after said comma the following: "and does not include any facility or structure intended or used as a component part of a highway."

In Section 2, lines 25 and 26, page 2 of the original bill by striking out the words and figures "five thousand dollars (\$5,000)." and inserting in lieu thereof the words and figures: "three thousand five hundred (\$3,500)."

In Section 8, line 26, page 4 of the original bill by striking out following the word "exceeds" the following words and figures: "five thousand dollars (\$5,000)" and inserting in lieu thereof the words and figures: "three thousand five hundred (\$3,500.00)"

In Section 8, line 28, page 4 of the original bill by inserting after the "," and before the word "Except" the following figure and punctuation "(2)"

In Section 8, line 31, page 4 of the original bill by striking out following the word "exceeds" the following words and figures: "five thousand dollars (\$5,000)"

In Section 13, lines 21 and 22, page 6 of the original bill by deleting the figures "75-201, 75-202, 75-203, 75-204, 75-205, 75-206" and by adding after the figures "80-819," the following figures: "75-208, 75-210, 75-211, and 75-213."

In Section 13, line 22, page 6 of the original bill by deleting the "." after the word "repealed" and by inserting in lieu thereof the words "; and providing that nothing in this act shall impair any obligation contained in any bond, debenture, or contract issued or executed prior to the effective date of this act."

Amend in the title lines 20, 21 of the original bill following the word "sections" by striking out the following figures: "75-201, 75-202, 75-203, 75-204, 75-205, and 75-206" and by inserting in lieu thereof the following figures: "75-208, 75-210, 75-211, and 75-213."

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We your Committee on Townships and Counties, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 be amended as follows:

Amend section 1, lines 15 and 16, page 1 of the original bill, following the word "and" by striking the words "such failure is due to a lack of sufficient" and inserting in lieu thereof the words "is unable to do so because of insufficient"

And, as amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do not pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 be amended as follows:

Amend the original bill, page 9, by adding the following new section: "Section 11. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

And further amend in Section 1 by deleting the period after the word "inclusive" on line 15 of page 1 of the original bill and inserting in lieu thereof a "semicolon (;)" and the following words: "except that for those persons assigned to duty with the American Expeditionary Forces serving in Siberia, the term World War I includes the period between April 6, 1917 and April 1, 1920, both dates inclusive."

And as amended, do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 be amended as follows:

By striking the period and adding the words "buildings and facilities." in Section 1, Subparagraph (1), page 2, line 3, of the original bill.

Be further amended by striking the words "certificates of deposit" in Section 3, Subparagraph (7) (c), page 6, line 16, of the original bill.

And as so amended, do pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do not pass, but that

Substitute House Bill No. 172: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to earnable compensation of the Teachers' Retirement System, and providing that full compensation received after July 1, 1961, may be used in computing benefits, and repealing all acts and parts of acts in conflict herewith."

Do pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 to pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

HAINES, Chairman

Motion was made by Haines for adoption of the Committee report.

Substitute motion was made by Regan that House Bill No. 298 be printed and placed on General Orders. After debate, Spahr moved the previous question, motion carried, and requested that a roll call vote be taken with the results thereof to be recorded in the Journal. Roll call vote was taken and the substitute motion failed to carry by the following vote:

Ayes: Bailey, Bashor, Beck, Casey, Cummings, Dykstra, East, Egan, Eskildsen, Garrison, Gill, Goan, Good, Healy, Hibbard, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, O'Hair, Osburnsen, Rearden, Regan, Schepens, Seymour, Shelden, Spahr, Spilde, Stranahan, Tracy, Welch, Zimmer. Total 34.

Noes: Aasheim, Asbjornson, Baldwin, Bardonouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Davis, Deschamps, Etchart, Falkenstein, Flynn, Haines, Hanks, Harper, Haughey, Hemstad, Holtz, Jenkins, Jensen, Johnson, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Raundal, Rehberg, Reinicke, Rosell, Selstad, Slaby, Smiley, Smith, Swanz, Thompson, Tookey, Tvedt, Watt, Wayrynen, Weeks, Woodard, Wright, Mr. Speaker. Total 54.

Absent or not voting: Adams, Murray, Schye, Turnage. Total 4.

Excused: Crum, Hawks. Total 2.

Original motion by Haines carried. Committee report adopted.

Mr. Speaker: We, your committee on Livestock and Ranges, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

SMITH, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We your Committee on Highways, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 be amended as follows:

Remove deletion from line 7 to line 24, page 3 of the original bill and restore to original form.

And further amend on line 3, page 5 of the original bill, following the word "town" by striking the remainder of line 3 through line 9 "All construction of public highways and streets within the corporate limits of incorporated cities and towns, the cost of which is to be paid out of the city road fund herein provided for, shall be under the supervision of the county surveyor of the county within whose boundaries such city or town is situated, and the cost of supervision of the county surveyor shall not exceed five per cent (5%) of the cost of said work."

And, as amended, do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, the majority of your Committee on State Administration, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be not concurred in, but that

House Substitute to Senate Bill No. 109: A bill for an act entitled: "An act revising chapter 4, title 81, R.C.M. 1947, to change certain requirements and provisions for the leasing of state lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, and 81-433, R.C.M. 1947, relating to the policy as to appraisal and leasing of state land, the leasing of state lands and the basis thereof, the renewal of leases and preference rights of lessees, the fixing of the value of improvements placed on leased land by lessees, the qualifications of lessees and the terms of leases, and the formula for determining rentals on state grazing lands; and by repealing section 81-417, R.C.M. 1947; and section 2 of chapter 284, Laws of the Thirty-sixth Legislative Assembly of Montana, 1959, compiled as section 81-433.1, R.C.M. 1947; repealing all acts and parts of acts in conflict herewith; and providing an effective date."

Do pass.

WRIGHT Chairman
ETCHART
ROSELL
BECK
GARRISON
LUND
MURRAY
STRANAHAN
BOUGHTON

Motion was made by Wright for the adoption of the majority committee report.

Mr. Speaker: We, the minority of your Committee on State Administration, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be concurred in.

DAVIS
BARDANOUVE
WELCH
CUMMINGS
ESKILDSSEN

Substitute motion was made by Bardanouve for the adoption of the Minority Committee report. Substitute motion failed to carry. Original motion by Wright carried. Majority report adopted.

February 13, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 295, House Bills Nos. 262, 392, 324, 386, 213, 45, 387 and 302.

HARPER

February 12, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 12 and House Bills Nos. 78 and 342.

SELSTAD

I have examined House Joint Memorial No. 12, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 78 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 342 introduced by me and find the same to be correct.

BLEWETT

MESSAGES FROM THE SENATE

February 12, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

Substitute House Bill No. 17 introduced by Committee on Affairs of Cities

House Bill No. 126 introduced by Gill

House Joint Resolution No. 7 introduced by Harper, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 12, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 171, introduced by East, Bradford, Falkensern, Beck

House Bill No. 251, introduced by Leuthold, Mathers, Laas, Nutting,
Hemstad

House Bill No. 270, introduced by Judge, Schye

House Bill No. 400, introduced by Committee on Appropriations

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 12, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 3, introduced by Cashmore, Rieder, Dussault, McDonnell, Mackay, O'Neill, Goodwin, James, Balford

Senate Bill No. 24, introduced by Cumming, McKeon, Durkee, McElwain, Huntley

Senate Bill No. 57, introduced by Cumming, Dussault, Mahoney

Senate Bill No. 67, introduced by Carney, Thiessen, Cotton, Ullom, Moritz, Gerard, Huntley

Senate Bill No. 71, introduced by McKeon, Schoonover

Senate Bill No. 93, introduced by Keller, Cotton, Thiessen, Schoonover, Ullom, Balford, Lehrkind, Gerard, MacDonald, Mackay, Cole

Senate Bill No. 106, introduced by Cashmore, O'Neill

Senate Bill No. 162, introduced by Dussault

Senate Bill No. 169, introduced by McElwain, McKeon

Senate Joint Resolution No. 15 introduced by Manning, et al

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 12, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Fish and Game, report adopted, and the same is herewith returned to the House:

House Substitute for House Bill No. 168 introduced by Fish and Game Committee

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House appoint a bi-partisan committee of six Representatives to act with a like committee of the

Senate to study and recommend to the House and the Senate subjects to be considered by the Legislative Council in the ensuing interim period. Motion carried.

Harper, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 109. After debate, Schepens moved the previous question. Motion carried. Harper requested that a roll call vote be taken and that the results thereof be recorded in the Journal. Sufficient seconds arose, roll call vote was taken, and the motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bradford, Brenner, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Northey, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 37.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 53.

Paired: Bardanouve, aye; Hawks, no.

Absent or not voting: Murray. Total 1.

Excused: Crum. Total 1.

Motion was made by Tooke that House Bill No. 217 be taken from General Orders and rereferred to the Committee on Townships and Counties. Motion carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 3, introduced by Cashmore, Reider, Dussault, McDonnell, Mackay, O'Neill, Goodwin, James, Balgord: A bill for an act entitled: "An act relating to the management and control of the State Soldiers Home, State Hospital, State Prison, State Tuberculosis Sanitarium, Home for Senile Men and Women, State Industrial School, State Training School and Hospital, Montana Children's Center, and State Vocational School for Girls; abolishing the Board of Commissioners for the Insane and various executive boards, boards of trustees, and boards of managers of such institutions; vesting control and management of such institutions in a State Department of Public Institutions; generally revising chapters of the code relating to such institutions; amending sections 80-302, 80-308, 80-310, 80-311, 80-313, 80-316, 80-322, 38-102, 38-104, 38-107, 38-108, 38-109, 38-110, 38-119, 38-207, 38-502, 38-504, 38-505, 38-702, 38-1002, 80-702, 80-703, 80-704, 80-705, 80-707, 80-707.1, enacted as section 1, chapter 242, Laws of 1959, 80-707.5, enacted as section 5, chapter 242, Laws of 1959, 80-711, 80-719, 80-720, 80-731, 80-732, 80-738, 80-740, 80-743, 80-745, 80-206, 80-207, 80-209, 80-210.1, 80-211, 80-212, 80-213, 38-802, 38-804, 38-805, 38-1101, 38-1108, 80-806, 80-809, 80-818, 80-819, 80-820, 80-902, 80-911, 80-922, 80-923, 80-924, 10-101, 10-105, 10-110, 10-112, 10-113, 10-114, 10-118, 10-120, 10-121, 75-301, 75-302, 75-303, 80-1101, R.C.M. 1947; and repealing sections 80-301, 80-304, 80-305, 80-306, 80-307, 80-309, 80-312, 80-314, 80-315, 80-317, 80-318, 80-319, 80-321, 38-103, 38-105, 38-106, 38-111, 38-901, 38-902, 80-706, 80-716, 80-717, 80-718, 80-735, 80-736, 80-737, 80-744, 80-747, 80-749, 80-202, 80-203, 80-204, 80-205, 80-208, 80-214, 80-216, 80-217, 38-801, 38-803, 38-817, 38-818, 80-801, 80-802, 80-803, 80-804, 80-805, 80-805.1, 80-808, 80-810, 80-812, 80-813, 80-814, 80-825, 80-826, 80-827, 80-901, 80-904, 80-906, 80-907, 80-908, 80-909, 80-910, 80-912, 80-913, 80-914,

80-916, 80-917, 80-930, 10-103, 10-104, 10-106, 10-107, 10-108, 10-109, 10-115, 10-116, 10-117, 75-312, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 24, introduced by Cumming, McKeon, Durkee, McElwain, Huntley: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of justice of the peace courts, police courts and municipal courts by deleting certain specific references to such courts in the constitution by amending sections 8 and 23, article III and sections 1 and 34, article VIII and by repealing sections 20, 21, 22, 23 and 24, article VIII." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 57, introduced by Cumming, Dussault, Mahoney: A bill for an act entitled: "An act to amend section 93-1904, R.C.M. 1947, relating to court reporters furnishing copy from stenographic notes; raising cost thereof from five cents (\$.05) and seven and one-half cents (\$.075) per folio to seven and one-half (\$.075) per folio." Referred to Committee on Judiciary.

Senate Bill No. 67, introduced by Carney, Thiessen, Cotton, Ullom, Moritz, Gerard, Huntley: A bill for an act entitled: "An act to provide mileage and meeting compensation for school trustees and providing for an effective date." Referred to Committee on Education.

Senate Bill No. 71, introduced by McKeon, Schoonover: A bill for an act entitled: "An act pertaining to communications and packages sent by and to patients at the Montana State Hospital and repealing sections 38-113, 38-114, 38-115, and 38-116, Revised Codes of Montana, 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 93, introduced by Keller, Cotton, Thiessen, Schoonover, Ullom, Balgord, Lehrkind, Gerard, MacDonald, Mackay, Cole: A bill for an act entitled: "An act to amend sections 75-1810 and 75-1813, R.C.M. 1947, to provide that bonded indebtedness is assumed by the new school district when school district boundaries are changed through consolidation or annexation." Referred to Committee on Education.

Senate Bill No. 106, introduced by Cashmore, O'Neill: A bill for an act entitled: "An act to regulate manufacturers and purveyors of food and drink and establishments preparing food or storing food for human consumption; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; providing for control of persons working when afflicted with contagious or infectious disease; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments and, to establish cooperative agreements with other Montana agencies; providing for inspections, sampling, and report of inspection; making reports of inspections evidence, prescribing temperature requirements for frozen food; empowering State Board of Health of Montana to issue subpoenas; prescribing penalties; providing limits of liability for loss of goods in refrigerated lockers; providing for fee required by this act to supersede other fees for same purpose; providing for lien of operator for charges and requirements for receipt of game, veal and beef; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing sections 27-111, 69-2801, 69-2802, 69-2803, 69-2804, 69-2805, 69-2806, 69-2807, 69-2808, 69-2809, 69-2810, 69-2811, 69-2812, 69-2813, 69-2814, 69-2815 and 69-2816, Revised Codes of Montana, 1947, as amended or supplemented." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 162, introduced by Dussault: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to section 29 of article VIII of the Constitution of the State of Montana relating to the salary of the justices of the supreme court and the judges of the district courts and providing for

the quarterly payment thereof by the state of such salary and providing that such salary shall not be diminished during the terms for which such justices and judges shall have been respectively elected." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 169, introduced by McElwain, McKeon: A bill for an act entitled: "An act to amend chapter 11 of title 15 of the Revised Codes of Montana, 1947, by adding sections 15-1119 to 15-1130 both inclusive, Revised Codes of Montana, 1947; relating to the involuntary winding up or dissolution of private corporations created under the Laws of Montana upon complaint by a shareholder; providing judicial procedure therefore; providing the grounds and reasons therefore; authorizing appointment of receiver in actions therefore; providing that owners of fifty per cent (50%) or more of the stock of corporations may avoid dissolution by purchase of shares of complaining stockholders at fair cash value thereof; providing for judicial determination of the fair cash value of stock of corporation; providing act shall be liberally construed; providing manner for winding up or dissolving corporation; making act applicable to existing corporations as well as those created hereafter; repealing all acts or parts of acts in conflict herewith; amending section 15-1101, Revised Codes of Montana, 1947; providing a severability clause; and providing an effective date." Referred to Committee on Judiciary.

Senate Joint Resolution No. 15, introduced by Whole Senate Body: A joint resolution of the Senate and House of Representatives petitioning Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States. Referred to Committee on Constitution, Elections and Federal Relations.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 295 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Aasheim, Goan. Total 2.

Excused: Crum, Hawks. Total 2.

House Bill No. 262 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Casey, Goan, Jenkins, Wright. Total 4.

Excused: Crum, Hawks. Total 2.

House Bill No. 392 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Flynn, Laas, Raundal. Total 3.

Absent or not voting: Bashor. Total 1.

Excused: Crum, Hawks. Total 2.

House Bill No. 345 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Haines, Hanks, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Mr. Speaker. Total 76.

Noes: Adams, Casey, Flynn, Gill, Good, Harper, Healy, Lombardi, Lund, O'Hair, Raundal, Schepens, Tracy, Welch, Zimmer. Total 15.

Absent or not voting: Aasheim. Total 1.

Excused: Crum, Hawks. Total 2.

Motion was made by Haines that consideration of House Bill No. 194 on Third Reading be passed for the day. Motion carried.

Substitute House Bill No. 131 was passed by the following vote:

Ayes: Asbjornson, Bailey, Beam, Blewett, Bradford, Broeder, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Seymour, Shelden, Smiley, Spahr, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 58.

Noes: Aasheim, Adams, Baldwin, Bardanouve, Bashor, Beck, Brenner, Casey, Cummings, Davis, East, Eskildsen, Etchart, Harper, Healy, Johnson, Keller, Kvaalen, Lombardi, Mathers, O'Hair, Raundal, Reinecke, Selstad, Slaby, Smith, Spilde, Stranahan, Tracy, Twedt, Wayrynen, Wright. Total 32.

Absent or not voting: Boughton, Goan. Total 2.

Excused: Crum, Hawks. Total 2.

House Bill No. 324 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Cummings, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Bardanouve, Bradford, Davis, Egan, Flynn, Johnson, Tracy, Twedt. Total 8.

Absent or not voting: None.

Excused: Crum, Hawks: Total 2.

House Bill No. 386 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Gill, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 64.

Noes: Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Good, Hanks, Harper, Healy, Johnson, Laas, Lombardi, Murray, O'Hair, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Zimmer. Total 26.

Absent or not voting: Aasheim. Total 1.

Excused: Beam, Crum, Hawks. Total 3.

House Bill No. 213 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Jensen. Total 1.

Excused: Beam, Crum, Hawks. Total 3.

House Bill No. 45 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Jensen, Stranahan, Wright. Total 3.

Excused: Beam, Crum, Hawks. Total 3.

House Bill No. 387 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Flynn, Haines, Lucas, Watt, Weeks. Total 5.

Absent or not voting: Aasheim, Cummings, Jensen, Wright. Total 4.

Excused: Beam, Crum, Hawks. Total 3.

House Bill No. 302 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Good, Haines, Hanks, Haughey, Healy, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Boughton, Casey, Flynn, Harper, Hemstad, Stranahan, Wright. Total 7.

Absent or not voting: Aasheim, Goan, Jensen. Total 3.

Excused: Beam, Crum, Hawks. Total 3.

The Speaker signed the following in open session, the titles having first been read: House Joint Memorial No. 12 and House Bills Nos. 342 and 78.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for this sitting. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

The Speaker appointed the following House Committee to meet with the Senate Committee to consider Legislative Council proposals:

Mathers

Beam

Holtz

Regan

Good

Bardanouve

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker. We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 15, respectfully report as follows: That House Joint Resolution No. 15 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do not pass, but that

Substitute House Bill No. 411, introduced by Committee on Ways and Means: A bill for an act entitled: "An act relating to property

classification and the basis for imposition of taxes upon the different classes of property and providing a different basis for imposition of taxes for certain classes and types of property for a period of two years."

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 be amended as follows:

Amend Section 4, in lines 29 through 31, page 1 of the original bill by striking out the words "the county auditor, or in those counties not having an auditor, the county clerk and recorder, and";

Amend Section 5, in lines 7 and 8, page 2 of the original bill by striking out the words "county auditor, or in those counties not having an auditor, the county clerk and recorder, and the";

Amend Section 8, in line 23, page 2 of the original bill by striking out the words and figures "one-quarter ($\frac{1}{4}$)" and inserting in lieu thereof the words and figures "one-half ($\frac{1}{2}$)";

Further amend Section 8, in lines 24 and 25, page 2 of the original bill by striking the comma at the end of line 24 after the word "land" and striking the words "exclusive of improvements and mineral rights,";

Further amend Section 8 in lines 27 and 28, page 2 of the original bill by striking the comma after the word "roll" and inserting in lieu thereof a period, and striking the words "reduced proportionately when mineral rights are involved";

Amend Section 9 in line 30, page 2 of the original bill by striking the word "shall" and inserting in lieu thereof the word "may";

Further amend Section 9 in line 32, page 2 and in line 1 of page 3 of the original bill, by striking the words "exclusive of improvements and mineral rights,";

Amend Section 11, in line 17, page 3 of the original bill by striking the word "shall" and inserting in lieu thereof the word "may";

Amend Section 12, lines 21 through 25, page 3 of the original bill by striking out the section in its entirety, and renumbering the remaining sections accordingly.

And as amended, do pass.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do not pass.

ADAMS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was read:

HOUSE RESOLUTION NO. 5

Introduced by Blewett

BE IT RESOLVED BY THE HOUSE OF THE STATE OF MONTANA:

That House Bill No. 282 be printed in ten (10) point type single

spaced on pages six inches by nine inches, side stitched and with pasted cover.

BE IT FURTHER RESOLVED that when completed by the printer in such manner, and the printing report received thereon, the same be considered as correctly printed.

Motion was made by Blewett for the adoption of the resolution. Motion carried.

Motion was made by Haines that the Highway Department be directed to send a letter to the House stating the present condition of land appraisals, land purchased, engineering reports, and dates of contract letters in Financial District No. 8. Motion carried.

Motion was made by Broeder that House Bill No. 373 be taken from printing and rereferred to the Committee on Highway. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hanks of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 152 do pass.

That consideration of Senate Bill No. 36 be placed at the bottom of the calendar.

That consideration of House Bill No. 124 be placed at the bottom of the calendar.

That further consideration of Senate Amendments to House Bill No. 81 be passed for the day.

That further consideration of House Bill No. 286 be passed for the day.

That House Joint Resolution No. 9 do pass.

That the Committee reconsider its action in passing consideration of House Bill No. 286 for the day.

That House Bill No. 286 do not pass.

That House Bill No. 356 do pass.

That consideration of House Bill No. 369 be placed at the bottom of the calendar.

That House Bill No. 94 do pass.

That consideration of Substitute House Bill No. 7 be passed for the day.

That House Joint Memorial No. 5 do pass.

That Substitute House Bill No. 71 be amended in Section 2, subparagraph 2, by striking out in line 32, page 1 of the original bill, being line 12, page 2 of the printed bill, the period (.) after the word "employee", inserting in lieu thereof a comma (,), and adding the words "unless the public officer or employee requests an open meeting,";

Be further amended in Section 2, subparagraph 5, by striking out in line 11, page 2 of the original bill, being line 22, page 2 of the printed

bill, the period (.) after the word "state", inserting in lieu thereof a comma (,), and adding the words "unless the person licensed requests an open meeting.";

And as amended, do pass.

That House Bill No. 276 do pass.

That consideration of House Bill No. 271 be passed for the day.

That House Bill No. 277 do pass.

That consideration of House Bill No. 143 be placed between House Bill No. 98 and House Bill No. 144 on the calendar.

That House Bill No. 204 be amended in line 21, page 2 of the original bill, being line 45, page 3 of the printed bill, by inserting following the word "shall" the words "have passed an instructor's examination given by the board and have received an instructor's permit, and";

Be further amended in lines 28, 29 and 30, page 2 of the original bill, being lines 55, 56 and 57, page 3 of the printed bill, by inserting a period (.) after the word "examination" and striking the words "and have passed an instructor's examination given by the board and have received an instructor's permit.";

And as amended, do pass.

That the Committee reconsider its action in passing consideration of Substitute House Bill No. 7 for the day.

That Substitute House Bill No. 7 do pass.

That further consideration of House Bill No. 338 be passed for the day.

That further consideration of House Bill No. 105 be passed for the day.

That the Committee rise and report.

HANKS, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that Senate Amendments to House Bill No. 81 be taken from General Orders and referred to the Rules Committee. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Thursday, February 14, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 14, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Lucas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 14, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 277, 152, 356, 94, 276, Substitute House Bill No. 7, House Joint Resolution No. 9 and House Joint Memorial No. 5.

HARPER

February 11, 1963

Mr. Speaker: We your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 65.

SELSTAD

February 12, 1963

I have examined House Bill No. 65 introduced by me and find the same to be correct.

GOAN

February 13, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 51, 78, 86, 212, 108, 342 and House Joint Memorial No. 12, do hereby report that said bills and memorial, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:55 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do not pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do not pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 do pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 do not pass.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 do not pass.

WRIGHT, Chairman

Motion was made by Wright for adoption of the committee report.

Substitute motion was made by Eskildsen that House Bill No. 145 be printed and placed on General Orders. Substitute motion carried.

The Speaker signed the following bill in open session, the title having first been read: Senate Bill No. 52.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do not pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 be amended as follows:

Amend the title by striking in line 7, page 1 of the original bill the words "patients in custodial" and inserting in lieu thereof the words "residents in certain state schools and public."

Amend section 1, by striking in lines 15 and 16, page 1 of the original bill the words "patients in state custodial" and inserting in lieu thereof the words " residents in certain state schools and public."

Amend section 1, by striking in line 18, page 1 of the original bill the word "custodial".

Amend section 1, by striking in line 19, page 1 of the original bill the word "custodial".

Amend section 1, by striking in line 20, page 1 of the original bill the words "patients of custodial" and inserting in lieu thereof the words "residents in certain state schools and public."

Amend section 2, by striking in line 25, page 1, of the original bill the word "custodial" and inserting in lieu thereof "certain state schools and public."

Amend section 2, by striking in line 1, page 2 of the original bill the words "(g) state school for the deaf and blind"

Amend section 2, by striking in lines 2 and 3, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident".

Amend section 2, by striking in line 6, page 2 of the original bill the word "custodial" and inserting in lieu thereof "state school or public."

Amend section 2, by striking in lines 8 and 9, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 2, by striking in line 10, page 2 of the original bill the word "custodial" and also by striking the words "a custodial" and inserting in lieu thereof after the words "charge of", the words "or who is a resident of a state school or public institution."

Amend section 2, by striking in line 13, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 3, by striking in line 17, page 2 of the original bill the words "custodial care of patients in custodial" and inserting in lieu thereof the words "care of residents in certain state schools and public."

Amend section 4 by striking in line 22, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 4, by striking in line 23, page 2 of the original bill the word "custodial", and inserting in lieu thereof the words "state school or public institution." Also to strike in lines 23 and 24 of page 2 of the original bill "of which the patient is a charge or resident," and inserting in lieu thereof "of residence."

Amend section 4, by striking in line 24, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 4, by striking in line 29, page 2 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 4, by striking in lines 1, 5, 8, 9, and 11, page 3 of the original bill the word "patient" and inserting in lieu thereof the word "resident."

Amend section 4, by striking in line 12, page 3 of the original bill the words "of which a patient is a resident" and inserting in lieu thereof a "comma (,)" after "responsible person," "a" after "or", and after "County", the words "where a resident resides."

Amend section 4, by striking in line 22, page 3 of the original bill the word "patient" and inserting in lieu thereof "resident."

Amend section 4, line 24, page 3 of the original bill by striking the words "which the patient is a resident" and inserting in lieu thereof "residence."

Amend section 4, page 3, line 25, of the original bill by striking the word "patient" and inserting in lieu thereof the word "resident."

Amend section 4, lines 27 and 28, page 3 of the original bill by striking the words "which the patient is a resident" and inserting in lieu thereof "residence."

Amend section 4, line 31, page 3 of the original bill by striking the word "patient" and inserting in lieu thereof the word "resident."

Amend section 5, lines 4 and 8, page 4 of the original bill by striking the word "patient" and inserting in lieu thereof the word "resident."

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 be amended as follows:

Amend title by striking out in line 6, page 1 of the original bill the

words "Charles M. Russell" and inserting in lieu thereof the words and punctuation as follows: "Virgelle, a pioneer stockman and his wife,"

Amend in lines 3 and 4, page 2 of the original bill by striking the following words and punctuation: ", and Charles M. Russell is known as the cowboy artist."

Amend in line 15, page 2 of the original bill by inserting after the word "named" the word "Virgelle" and by striking the following words in lines 16 and 17, page 2 of the original bill "great Montana citizen and the greatest of western artists, Charles M. Russell" and inserting in lieu thereof the following words and punctuation "pioneer stockman and his wife, Virgil and Ellen Blankenbaker."

Amend in page 2 of the original bill by striking out lines 18, 19 and 20, inclusive.

Amend in line 14, page 2 of the original bill by striking after the word "park" the "period (.)" and inserting the following words and punctuation ", with special emphasis on the cowboy and grazing of livestock."

Amend in line 24, page 1 of the original bill by striking the word "national."

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 be amended as follows:

Amend section 3, page 1, lines 27 and 28 by striking the following words "and advise the state advertising department in"

Amend section 3, page 1, line 29 by striking the words "its" and inserting in lieu thereof the word "the";

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 be amended as follows:

Amend section 1, page 1, line 15 of the original bill by inserting after the word "bidder" the following words and punctuation "to be applied on the rental,"

Amend section 1, page 1, line 18 by striking the word "general" and inserting in lieu thereof the words "interest and income."

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 be amended as follows:

Amend the title by striking out on page 1, lines 9 and 10 of the original bill, the words and figures "seventy-five thousand dollars (\$75,000.00)" and inserting in lieu thereof the following: "two hundred thousand dollars (\$200,000.00) for the period ending July 1, 1963";

Further amend section 1 by striking out in lines 27 and 28, page 3 of the original bill the words and figures "seventy-five thousand dollars (\$75,000.00)" and inserting in lieu thereof the following: "two hundred thousand dollars (\$200,000.00)";

Further amend section 1, line 28, following the figure "4" by striking the semicolon ";" and inserting a comma and the following: ",", provided, however, that after July 1, 1963 such emergency expenditures shall not exceed twenty-five thousand dollars (\$25,000.00)";

And as so amended, do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 do not pass, but that

Substitute House Bill No. 397, A bill for an act entitled: "An act authorizing boards of county commissioners to issue funding bonds after July 1, 1963, to fund outstanding county warrants as of June 30, 1963; providing the term of funding bonds; providing for a public hearing; and providing an effective date."

Do pass.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Substitute for House Joint Memorial No. 8, respectfully report as follows: That House Substitute for House Joint Memorial No. 8 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do not pass.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do not pass.

DYKSTRA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do not pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do not pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 be amended as follows:

Amend section 3 by striking the words and figures in lines 14 and 15 of page 2 of the original bill, the words and figures "one and five tenths percent (1.5%)" and inserting in lieu thereof the words and figures "one percent (1.0%)";

Further amend section 3 by striking the words and figures in lines 19 and 20 of page 2 of the original bill, the words and figures "one and five tenths percent (1.5%)" and inserting in lieu thereof the words and figures "one percent (1.0%)";

Further amend section 3 by striking the words and figures in lines 24 and 25 of page 2 of the original bill, the words and figures "one and five tenths percent (1.5%)" and inserting in lieu thereof the words and figures "one percent (1.0%)";

Further amend section 3 by striking in lines 28 through 31 inclusive of page 2 of the original bill the words "In the event that a surplus exists in the said industrial accident rehabilitation fund at the end of the fiscal year, the payments for the ensuing year may be reduced by the board in proportion to the amount of the surplus." And by inserting in lieu thereof the following: "Separate accounts of the amounts collected and disbursements made from the fund shall be kept for each of the plans. If in any fiscal year, the amount collected from the employers under any plan exceeds the amount of payments for employees of the employers under such plan, the assessment against the employers under such plan for the following year shall be reduced."

And as amended, do pass.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Amendment to House Bill No. 81, beg to recommend as follows:

(1) That Senate Amendment be not concurred in, for the reason the subject matter thereof has heretofore been rejected by the House;

(2) That the Speaker appoint a conference committee of three to meet with a like committee of the Senate.

BLEWETT, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 13, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 81 introduced by Dussault, Cumming, Cashmore.

Senate Bill No. 82 introduced by Dussault, Cumming, Cashmore, Cook.

Senate Bill No. 83 introduced by Dussault, Cumming, Cashmore, Cook.

Senate Bill No. 84 introduced by Dussault, Cumming, Cashmore, Cook.

Senate Bill No. 117 introduced by Groff.

Senate Bill No. 143 introduced by Michels, Moritz, McGowan, Bovey.

Senate Bill No. 196 introduced by Carney, Moritz, Edwards, Hauk, Melcher.

Senate Joint Memorial No. 6 introduced by Bentz, et al.

Substitute Senate Joint Resolution No. 9 introduced by Highways and Transportation Committee.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 13, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Commerce and Labor, report adopted, and the same is herewith returned to the House:

House Bill No. 300 introduced by Judge.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 13, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 240 introduced by Nutting, Turnage, Jensen.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 13, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House.

House Bill No. 185 introduced by Committee on Affairs of Cities.

House Bill No. 186 introduced by Committee on Affairs of Cities.

House Bill No. 318 introduced by Selstad.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Haines that House Bill No. 194 be taken from Third Reading and rereferred to the Committee on Highways. Motion failed to carry.

Bradford, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 217.

Substitute motion was made by Kvaalen that the motion by Bradford that the House reconsider its action in adopting an adverse committee report on House Bill No. 217 be laid on the table. Substitute motion failed to carry. After debate, Beam moved the previous question. Motion carried. Original motion by Bradford carried.

Motion was made by Bradford that House Bill No. 217 be placed on General Orders. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 81, introduced by Dussault, Cumming, Cashmore: A bill for an act entitled: "An act adopting the uniform act on paternity; imposing upon the father of an illegitimate child a duty of support; establishing a civil action for the determination of parentage of an illegitimate child; providing for blood tests; and repealing sections 94-9901, 94-9902, 94-9903, 94-9904, 94-9905, 94-9906, 94-9907, and 94-9908, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 82, introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act to require a compulsory waiting period between the time of service of process and the hearing in a divorce action, and for a stay of proceedings to attempt reconciliation." Referred to Committee on Judiciary.

Senate Bill No. 83, introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act abolishing the actions for breach of promise of marriage and for alienation of affections and repealing Section 17-319, R. C. M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 84, introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act to provide rules for the recognition of ex parte foreign divorces and establishing certain presumptions as to domicile." Referred to Committee on Judiciary.

Senate Bill No. 117, introduced by Groff: A bill for an act entitled: "An act to amend Section 32-711, R. C. M. 1947, which relates to the control and management of bridges by boards of county commissioners; to provide that boards of county commissioners may make repairs to stream beds, water courses and the banks thereof when there is danger that a bridge may be damaged or lost because of erosion or changes in the courses of such streams." Referred to Committee on Townships and Counties.

Senate Bill No. 143, introduced by Michels, Moritz, McGowan, Bovey: A bill for an act entitled: "An act providing for appointment of a supervisor of motor carriers by the board of railroad commissioners; describing the duties, qualifications and powers of such supervisor; and amending Section 8-103, R. C. M., 1947." Referred to Committee on Highways.

Senate Bill No. 196, introduced by Carney, Moritz, Edwards, Hauk, Melcher: A bill for an act entitled: "An act to amend Section 75-1632, R. C. M. 1947, relating to duties of school trustees; to provide for accounting and for the disposition of rental funds as to school owned employee housing." Referred to Committee on Education.

Senate Joint Memorial No. 6, introduced by Bentz, Michels, Huntley, Moritz, Nees, Anderson, Breen, Shaw, Grieve, Melcher, DeWolfe, Carney, MacDonald, Hauk, Keller, Moberly, Rieder, Nixon: A joint memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, to the United States secretary of com-

merce and to the federal bureau of public roads administrator, urging that necessary steps be taken to introduce legislation to amend a federal law relating to highways, to permit a state to build additional primary system mileage when seventy-five (75) per cent of a state's primary system is completed and maintained, instead of ninety (90) per cent as presently required. Referred to Committee on Highways.

Substitute Senate Joint Resolution No. 9, introduced by Highways and Transportation Committee: A joint resolution of the Senate and House of Representatives relating to the routing of interstate highway 15 and the public hearings held in selecting such route. Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 194 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Casey, Crum, Dykstra, East, Etchart, Falkenstern, Goan, Good, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Mathers, McNamer, Nash, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Wayrynen, Weeks, Wright, Mr. Speaker. Total 53.

Noes: Aashiem, Adams, Baldwin, Boughton, Brenner, Broeder, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Haines, Hanks, Harper, Jenkins, Johnson, Lombardi, Lundgren, Murray, Nelson, Northey, O'Hair, Raundal, Schepens, Smiley, Smith, Stranahan, Thompson, Twedt, Watt, Welch, Woodard, Zimmer. Total 35.

Paired: Hawks, aye; Nichols, no.

Absent or not voting: Garrison, Lewis, Slaby. Total 3.

Excused: Shelden. Total 1.

House Bill No. 277 was passed by the following vote:

Ayes: Aashiem, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Goan, Haines, Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 74.

Noes: Bardanouve, Bashor, Bradford, Brenner, Broeder, Davis, Gill, Good, Harper, Healy, Johnson, Lombardi, O'Hair, Raundal, Slaby, Tracy, Twedt, Welch. Total 18.

Absent or not voting: Garrison. Total 1.

Excused: Shelden. Total 1.

House Bill No. 152 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn,

Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 80.

Noes: Broeder, Hanks, Harper, Jenkins, Jensen, Lundgren, O'Hair, Osburnsen, Schepens. Total 9.

Absent or not voting: Adams, Blewett, Casey, Garrison, Welch. Total 5.

Excused: None.

House Bill No. 356 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Bardanouve, Bashor, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Lewis, Lombardi, Lucas, Mathers, McNamer, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 55.

Noes: Asbjornson, Baldin, Beam, Beck, Boughton, Broeder, Casey, Crum, East, Etchart, Falkenstern, Garrison, Goan, Haughey, Hawks, Hemstad, Kvaalen, Leuthold, Lund, Lundgren, Murray, Nash, Nelson, Nutting, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Weeks, Woodard, Wright. Total 39.

Absent or not voting: None.

Excused: None.

House Bill No. 94 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 276 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols,

Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: Watt. Total 1.

Absent or not voting: None.

Excused: None.

Substitute House Bill No. 7 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Joint Resolution No. 9 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Bradford, Hanks, Haughey, Healy, Keller, Kvaalen, Laas, Raundal, Rosell. Total 9.

Absent or not voting: Pierce. Total 1.

Excused: None.

House Joint Memorial No. 5 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Haughey, Kvaalen, Selstad, Smiley. Total 4.

Absent or not voting: Gill, Pierce. Total 2.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Kvaalen of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 4 do pass.

That consideration of House Bill No. 286 be placed at the bottom of the calendar.

That House Bill No. 271 be amended in Section 1 by striking out in line 9, page 3 of the original bill, being lines 53 and 54, page 3 of the printed bill, the commas enclosing the words "as to ownership only" and inserting in lieu thereof parentheses;

And as amended, do pass.

That House Bill No. 338 be amended in Section 3 by striking out in lines 22 and 23, page 1 of the original bill, being lines 3 and 4, page 1 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in Section 7 by striking out in line 30, page 2 of the original bill, being line 1, page 3 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in Section 7 by striking out in line 32, page 2 of the original bill, being lines 3 and 4, page 3 of the printed bill, the word "Department" and inserting in lieu thereof the word "Commissioner";

Be further amended in Section 10, subsection a, by striking out in line 4, page 4 of the original bill, being lines 6 and 7, page 4 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in section 10, subsection b, by striking out in line 15, page 4 of the original bill, being line 15, page 4 of the printed bill, the word "Department" and inserting in lieu thereof the word "Commissioner";

Be further amended in section 10, subsection c, by striking out in line 20, page 4 of the original bill, being lines 20 and 21, page 4 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in section 10, subsection c, by striking out in line 23, page 4 of the original bill, being line 23, page 4 of the printed bill, the word "Department" and inserting in lieu thereof the word "Commissioner";

Be further amended in section 12 by striking out in line 13, page 5 of the original bill, being line 4, page 5 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in section 13 by striking out in line 17, page 5 of the original bill, being line 3, page 5 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in section 13 by striking out in line 18, page 5 of the original bill, being line 3, page 5 of the printed bill, the word "Department" and inserting in lieu thereof the word "Commissioner";

Be further amended in section 14 by striking out in lines 23 and 24, page 5 of the original bill, being lines 1 and 2, pages 5 and 6 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

Be further amended in Section 14 by striking out in lines 25 and 30, page 5 and line 1, page 6 of the original bill, being lines 3, 7 and 10, page 6 of the printed bill, the word "Department" and inserting in lieu thereof the word "Commissioner";

Be further amended in section 16, subsection b, by striking out in lines 22 and 23, page 6 of the original bill, being line 6, page 7 of the printed bill, the words "Real Estate Department" and inserting in lieu thereof the words "State Real Estate Commissioner";

And as amended, do pass.

That House Bill No. 105 be amended in the title by inserting in line 14 of the original bill, being line 12 of the printed bill, after the semicolon and before the word "stating" the words: "providing a deduction from gross income for amounts paid or credited to members of building and loan associations as dividends on their withdrawable accounts";

Be further amended in section 1 by inserting, as a separate paragraph, in line 23, page 3 of the original bill, being line 68, page 4 of the printed bill, after the period following the word "patronage", the words:

"8. In the case of domestic building and loan associations or domestic savings and loan associations, there shall be allowed as deductions in computing taxable income amounts paid or credited to members as dividends on their withdrawable accounts, if such amounts paid or credited are withdrawable upon notice of intention to withdraw.";

Be further amended in section 2 by inserting in line 16, page 5 of the original bill, being line 55, page 6 of the printed bill, after the word "organization" and before the period, the words: "or unless such dividends are paid or credited to members of building and loan or savings and loan associations on their withdrawable accounts";

Be further amended in section 2 by inserting in line 29, page 5 of the original bill, being line 67, page 6 of the printed bill, after the comma following the word "year", the words: "and except amounts paid or credited to members of building and loan or savings and loan associations as dividends on their withdrawable accounts.";

And as amended, do pass.

That the Committee rise and report.

KVAALLEN, Chairman

Report adopted.

February 14, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 263 and Substitute House Bill No. 101, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 14, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 251, 171 and 270.

SELSTAD

I have examined House Bill No. 251 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 171 introduced by me and find the same to be correct.

EAST

I have examined House Bill No. 270 introduced by me and find the same to be correct.

JUDGE

Motion was made by Blewett that the House recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 14, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 204 and Substitute House Bill No. 71.

HARPER

February 14, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 167, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 14, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 400.

SELSTAD

I have examined House Bill No. 400 introduced by me and find the same to be correct.

NICHOLS

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 be amended as follows:

Amend section 3, page 2, line 22 by striking after the word and punctuation "State.", the following words "Thereafter the Board may by regulation if in its discretion it deems it desirable, make participation in such policy or policies of group insurance a condition of employment by the State.";

Amend section 2, page 2, line 18 by adding after the word and punctuation "insuror." the following words and punctuation "For the pur-

poses of this act, the plans of health service corporations for defraying or assuming the cost of profesisonal services of licentiates in the field of health, or the services of hospitals, clinics or sanitararia, or both profesisonal and hospital services, shall be construed as group insurance, and the dues payable under such plans shall be construed as premiums therefor."

And as amended, do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 14, respectfully report as follows: That House Joint Resolution No. 14 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 17, respectfully report as follows: That House Joint Resolution No. 17 do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 42, respectfully report as follows: That Substitute House Bill No. 42 be amended as follows:

Amend the title by striking it in its entirety and inserting in lieu thereof: "A bill for an act entitled: "An act to provide that a joint tenancy, ownership of property may be established by conveyance or transfer of such property without the necessity of transfer to or through any third person."

Amend section 1, lines 10 through 15 inclusive of the original substitute bill being lines 1 through 6 inclusive of the printed bill by striking the whole section and inserting in lieu thereof the following: "A joint tenancy as to any interest in real property may be established by the owner thereof, by designation in the instrument of conveyance or transfer, the names of such joint tenants including his own, without the necessity of any transfer or conveyance to or through a third person.

And as so amended, do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do pass.

HAUGHEY, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 14, 1963

Mr. Speaker:

The Committee on Rules, this day, is returning to the House, House Bill No. 191. The Committee on Rules adopted report states that—"House Bill No. 191 be returned to the House as provided for in Senate Rule X, section 2, the title of the rule being 'introduction of a bill similar to one finally rejected by Senate'; House Bill No. 191 being similar to Senate Bill No. 136 which was rejected by this body on February 5, 1963."

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 14, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 300 introduced by Judge.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

Motion was made by Blewett that the House accede to the request of the Senate and return House Bill No. 300. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 81: Kvaalen, Tracy, Seymour.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 104 betaken from the Committee on Constitution, Elections and Federal Relations and be printed and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following was introduced, read first and second times, and referred to the Committee on Education:

House Joint Memorial No. 18, introduced by Beam: A Joint Memorial of the Senate and House of Representatives requesting that Congress pass legislation which would allow each state to retain ten percent of the federal income taxes collected in that state and that this money be used for the purpose of supporting public education.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 204 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Goan, Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nash,

Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Watt, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 68.

Noes: Baldwin, Beam, Casey, Davis, Eskildsen, Flynn, Gill, Good, Harper, Healy, Johnson, Lewis, Lombardi, O'Hair, Raundal, Slaby, Tracy, Twedt, Wayrynen, Welch. Total 20.

Absent or not voting: Boughton, Haines, Laas, Rosell, Turnage. Total 5.

Excused: Lucas. Total 1.

Substitute House Bill No. 71 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Boughton, Laas, Turnage. Total 3.

Excused: Lucas. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Kvaalen of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 98 do pass.

That House Bill No. 143 do pass.

That House Bill No. 144 do pass.

That House Bill No. 358 do pass.

That House Bill No. 359 do pass.

That House Bill No. 360 do pass.

That consideration of Senate Bill No. 36 be placed at the bottom of the calendar.

That House Bill No. 124 do pass.

That House Bill No. 369 do pass.

That Senate Amendments to House Bill No. 126 be concurred in.

That Senate Amendments to House Joint Resolution No. 7 be concurred in.

That consideration of Senate Bill No. 54 be passed for the day.

That Senate Amendments to Substitute House Bill No. 17 be concurred in.

That House Bill No. 217 do pass.

That the Committee rise and report.

KVAALEN, Chairman

Report adopted.

February 14, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 347, 113, 407, 207 and 275, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 14, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 96, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House adjourn until 9:30 a.m., Friday, February 15, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 15, 1963

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Osburnsen, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 15, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 271, 124, 360, 98, 143, 144, 217, 369 and House Joint Memorial No. 4.

HARPER

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do not pass, but that

Substitute House Bill No. 158: A bill for an act entitled: "An act providing for the allowance of an increase in average number belonging for budget purposes where a school district or county high school anticipates an unusual increase in enrollment in the ensuing year; and providing the procedure for determining the average number belonging."

Do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do not pass, but that

Substitute House Bill No. 196: A bill for an act entitled: "An act relating to eminent domain proceedings; amending Section 93-9912, R.C.M. 1947, to provide for a waiver of a determination of compensation by condemnation commissioners; to provide generally for the ascertainment and assessment of compensation; providing a severability clause; and providing an effective date."

Do pass.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 415, respectfully report as follows: That House Bill No. 415 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration house Bill No. 180, respectfully report as follows: That House Bill No. 180 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do not pass, but that

Substitute House Bill No. 214: A bill for an act entitled: "An act to amend Sections 89-301, 89-302, and 89-307, R.C.M. 1947, by changing the name of the State Planning Board to the Board of Commerce and Economic Development; providing for additional duties of said board; and repealing all acts and parts of acts in conflict herewith."

Do pass.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 16, respectfully report as follows: That House Joint Memorial No. 16 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13 do pass.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Ways and Means, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

SCHYE, Chairman

CRUM
BROEDER
FALKENSTERN
KVAALEN
REHBERG
SMILEY
SWANZ
WEEKS
SPAHR

Motion was made by Schye for the adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do pass.

HARPER
STRANAHAN
DAVIS
TRACY
HEALY

Substitute motion was made by Bradford for the adoption of the Minority report. Bradford requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. After debate, Dykstra moved the previous question. Motion carried. Roll call vote was taken, and the substitute motion by Bradford failed to carry by the following vote:

Ayes: Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Laas, Lewis, Lombardi, O'Hair, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Zimmer. Total 25.

Noes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 67.

Absent or not voting: Wayrynen. Total 1.

Excused: Osburnsen. Total 1.

Original motion by Schye carried. Majority report adopted.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 65, 171, 251, 270 and 400.

MESSAGES FROM THE SENATE

February 14, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 80 introduced by Dussault, Cook, Cumming, Cashmore

Senate Bill No. 85 introduced by Dussault, Cumming, Cashmore, Cook

Senate Bill No. 114 introduced by Hilling, Keller, Dussault

Senate Bill No. 175 introduced by Mahoney, Hafferman, Siderius, Reardon, McKeon, Durkee, Jensen

Senate Bill No. 179 introduced by McElwain

Senate Joint Resolution No. 8 introduced by Brenner, Groff, Melcher, Dussault, Mackay, Durkee, Rostad

Senate Joint Memorial No. 9 introduced by Hauk, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 14, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in,

title and history agreed to and the same are herewith returned to the House:

House Bill No. 162 introduced by Turnage, Zimmer, Gill

House Bill No. 291 introduced by Wayrynen, Reinecke, Gill, Tracy

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 143 be taken from Third Reading and placed on General Orders for consideration this day. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 80, introduced by Dussault, Cook, Cumming, Cashmore: A bill for an act entitled: "An act relating to marriage; defining legislative intent; defining marriageable age; requiring the delivery of premarital information to applicants; providing for a uniform marriage application form; providing for the issuance of marriage licenses; limiting the issuance of licenses where applicants are under the influence of narcotic drug or alcohol or are failing to support lawful dependents; providing a procedure for objection to the issuance of marriage licenses; defining the validity and invalidity of marriages performed in other states; amending section 48-118.1, R.C.M. 1947, to provide for testimony under the oath of applicants seeking a waiver of the waiting period between application for and issuance of a marriage license; and repealing sections 48-102, 48-113, 48-117, 48-118, 48-118.2 and 48-121, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 85, introduced by Dussault, Cumming, Cashmore, Cook: A bill for an act entitled: "An act amending sections 48-202 and 48-203, R.C.M. 1947, relating to annulment of a marriage; providing that a marriage may be annulled when a party was under the age of majority at time of marriage; establishing the legitimacy of children of annulled marriages and providing for care, custody and support of said children; repealing sections 48-204 and 48-205, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 114, introduced by Hilling, Keller, Dussault: A bill for an act entitled: "An act to amend sections 11-725 and 11-728, R.C.M. 1947, pertaining to salaries and qualifications of mayors and aldermen and salaries of city and town treasurers; providing the maximum salary that may be paid to mayors of second and third class cities, mayors of towns, and aldermen of all cities and towns; providing the maximum salary that may be paid to city and town treasurers." Referred to Committee on Affairs of Cities.

Senate Bill No. 175, introduced by Mahoney, Hafferman, Siderius, Reardon, McKeon, Durkee, Jensen: A bill for an act entitled: "An act to amend sections 87-103, 87-104 and 87-109, R.C.M. 1947, relating to unemployment compensation; providing for increased benefits; relating to duration of benefits; and providing for improvements in the contribution provisions, allowing protections for small employers; increasing taxable wage." Referred to Committee on Labor and Compensation.

Senate Bill No. 179, introduced by McElwain: A bill for an act entitled: "An act relating to the qualification and examination of applicants for admission to the bar of the State of Montana; providing certain

qualifications and giving to the Supreme Court of the state the power to prescribe additional qualifications and to determine the time and manner of the examination to be given; and repealing sections 93-2002 and 92-2005, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Joint Resolution No. 8, introduced by Brenner, Groff, Melcher, Dussault, Mackay, Durkee, Rostad: A joint resolution of the Senate and House of Representatives directing the Legislative Council to conduct a study of state investments and depository practices. Referred to Committee on State Administration.

Senate Joint Memorial No. 9, introduced by Hauk, Nixon, Groff, Stein, Melcher, Michels, Siderius, Nees, Carney, Schoonover, DeWolfe, O'Neill, Thiessen, Huntley, Cotton, Goodwin, Beley, Hafferman, Graham, Cook, Jensen, McKenna, Mahoney, Cumming, Durkee, Reardon, Keller, MacDonald, Rostad, Thomas, Ullom, James, Moritz, Lehrkind, Balgord, Dussault, Shaw: A joint memorial of the Senate and House of Representatives requesting that the federal portion of cost on federal aid primary highways and secondary highways be increased from about fifty-seven percent to seventy percent. Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 126 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Aasheim, Good, Haines, Jensen, Pierce, Spahr. Total 6.

Excused: Osburnsen. Total 1.

Senate Amendments to House Joint Resolution No. 7 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Beck, Good, Haines, Jensen, Pierce, Spahr, Spilde, Welch. Total 8.

Excused: Osburnsen. Total 1.

Senate Amendments to Substitute House Bill No. 17 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Spilde. Total 1.

Excused: Osburnsen. Total 1.

House Bill No. 271 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Woodard, Zimmer, Mr. Speaker. Total 78.

Noes: Adams, Asbjornson, Baldwin, Boughton, Casey, Cummings, Egan, Jenkins, Jensen, Smith, Stranahan, Turnage, Welch, Wright. Total 14.

Absent or not voting: Spilde. Total 1.

Excused: Osburnsen. Total 1.

House Bill No. 124 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Spilde. Total 1.

Excused: Osburnsen. Total 1.

Motion was made by Goan that consideration of House Bill No. 360 be passed on Third Reading for this sitting. Motion carried.

House Bill No. 98 was passed by the following vote:

Ayes: Adams, Bailey, Bardanouve, Beam, Bradford, Brenner, Broeder, Casey, Crum, Deschamps, East, Etchart, Falkenstern, Flynn, Gill, Goan, Haughey, Hawks, Hibbard, Jenkins, Jensen, Judge, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Smith, Spahr, Swanz, Tooke, Turnage, Watt, Welch, Woodard, Wright. Total 52.

Noes: Aasheim, Asbjornson, Baldwin, Bashor, Beck, Blewett, Boughton, Cummings, Davis, Dykstra, Egan, Eskildsen, Garrison, Good, Haines, Hanks, Harper, Healy, Hemstad, Holtz, Johnson, Keller, Laas, Leuthold, Lewis, Lombardi, Murray, Nash, Raundal, Selstad, Slaby, Smiley, Spilde, Stranahan, Thompson, Tracy, Twedt, Wayrynen, Weeks, Zimmer, Mr. Speaker. Total 41.

Absent or not voting: None.

Excused: Osburnsen. Total 1.

Motion was made by Blewett that consideration of House Bill No. 144 be passed on Third Reading for this sitting. Motion carried.

House Bill No. 217 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, Nelson, Nichols, Northey, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Bashor, Broeder, Davis, Garrison, Haughey, Keller, Kvaalen, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Selstad, Smiley, Smith, Stranahan, Thompson, Wright. Total 19.

Absent or not voting: Nutting, Wayrynen. Total 2.

Excused: Osburnsen. Total 1.

House Bill No. 369 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Flynn, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Mr. Speaker. Total 77.

Noes: Adams, Baldwin, Blewett, Broeder, Falkenstern, Harper, Jenkins, Lundgren, Murray, Nutting, Tooke, Turnage, Woodard, Zimmer. Total 14.

Absent or not voting: Garrison, O'Hair. Total 2.

Excused: Osburnsen. Total 1.

House Joint Memorial No. 4 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstein, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Pierce. Total 1.

Excused: Osburnsen. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Tracy of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of House Bill No. 275 be passed for this sitting.

That further consideration of House Bill No. 286 be passed for the day.

That further consideration of House Bill No. 96 be placed at the bottom of the calendar.

That House Bill No. 263 do pass.

That Substitute House Bill No. 101 do pass.

That the Committee rise and report.

TRACY, Chairman

Report adopted.

Motion was made by Haughey that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 15, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 359, 358, 338 and 105.

HARPER

February 15, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 15, Substitute House Bill No. 305, House Bills Nos. 198, 313, 305, 172 and 282, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 be printed and placed on General Orders without recommendation.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 do pass.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 206, respectfully report as follows: That Senate Bill No. 206 be not concurred in.

HAINES, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Smiley that House Bill No. 286 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following resolution was introduced, read first and second times, and referred to the Committee on Business and Industry:

House Joint Resolution No. 20, introduced by Judge: A joint resolution of the Senate and House of Representatives directing the legislative council to conduct a study of the organization of the various state agencies in Montana concerned with the economic development and attraction of industry to the state.

February 15, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 263 and Substitute House Bill No. 101.

HARPER

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 144 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund,

Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, O'Hair, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker: Total 74.

Noes: Bashor, Beck, Boughton, Broeder, Casey, East, Etchart, Goan, Nash, Northey, Nutting, Raundal, Reinecke, Stranahan, Weeks, Wright. Total 16.

Absent or not voting: Garrison, Lewis, Lucas. Total 3.

Excused: Osburnsen. Total 1.

House Bill No. 360 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 72.

Noes: Bardanouve, Bashor, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Hanks, Johnson, Laas, Lombardi, Murray, Raundal, Slaby, Twedt, Wayrynen, Zimmer. Total 18.

Absent or not voting: Garrison, Lewis, Lucas. Total 3.

Excused: Osburnsen. Total 1.

House Bill No. 359 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 71.

Noes: Bardanouve, Bashor, Bradford, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Johnson, Laas, Lombardi, Murray, Raundal, Rearden, Slaby, Twedt, Wayrynen, Zimmer. Total 19.

Absent or not voting: Garrison, Lewis, Lucas. Total 3.

Excused: Osburnsen. Total 1.

House Bill No. 358 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Woodard, Wright, Mr. Speaker. Total 63.

Noes: Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Hanks, Harper, Johnson, Judge, Laas, Lom-

bardi, Murray, O'Hair, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 27.

Absent or not voting: Garrison, Lewis, Lucas. Total 3.

Excused: Osburnsen. Total 1.

House Bill No. 338 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Boughton. Total 1.

Absent or not voting: Garrison, Lewis, Lucas, Rosell, Smiley, Wayrynen. Total 6.

Excused: Osburnsen. Total 1.

House Bill No. 105 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Woodard, Wright, Mr. Speaker. Total 63.

Noes: Aasheim, Bailey, Bardanouve, Bashor, Bradford, Brenner, Broeder, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Hanks, Harper, Johnson, Judge, Lundgren, Murray, O'Hair, Raundal, Shelden, Slaby, Stranahan, Twedt, Welch, Zimmer. Total 27.

Absent or not voting: Garrison, Lewis, Wayrynen. Total 3.

Excused: Osburnsen. Total 1.

House Bill No. 263 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Egan, Eskildsen, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Raundal, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Welch, Woodard, Wright, Mr. Speaker. Total 65.

Noes: Bashor, Beam, Beck, Blewett, Dykstra, East, Etchart, Haughey, Hibbard, Holtz, Keller, Murray, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Selstad, Smiley, Smith, Stranahan, Thompson, Weeks, Zimmer. Total 25.

Absent or not voting: Garrison, Lewis, Wayrynen. Total 3.

Excused: Osburnsen. Total 1.

Substitute House Bill No. 101 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Etchart, Falkenstern, Flynn, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Zimmer. Total 75.

Noes: Adams, Bardanouve, East, Gill, Kvaalen, Laas, McNamer, Nash, Raundal, Reinecke, Shelden, Woodard, Wright, Mr. Speaker. Total 14.

Absent or not voting: Eskildsen, Garrison, Lewis, Wayrynen. Total 4.

Excused: Osburnsen. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Tracy of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 167 do pass.

That House Bill No. 275 be amended in the title by striking out in line 15 of the original bill, being line 14 of the printed bill, following the words "by more than" the words and figures "ten per centum (10%)" and inserting in lieu thereof the words and figures "five per centum (5%)";

Be further amended in Section 1 by striking out in lines 12 and 13, page 2 of the original bill, being line 24, page 2 of the printed bill following the words "by more than" the words and figures "ten per centum (10%)" and inserting in lieu thereof the words and figures "five per centum (5%)";

And as amended, do pass.

That House Bill No. 347 be amended in the title by striking out in lines 10 through 12 of the original bill, being lines 7 through 10 of the printed bill, the semicolon after the word "counties", inserting in lieu thereof a period and quotation mark, and deleting the words "and prohibiting general assistance to persons entitled to unemployment compensation benefits under certain circumstances.";

Be further amended by striking out in lines 8 through 12, page 2 of the original bill, being lines 25 through 29, page 2 of the printed bill, the semicolon after the word "Montana", inserting in lieu thereof a period and quotation mark, and deleting the words "provided further, that any person seeking general assistance who is entitled to benefits provided under the unemployment compensation act, shall not, during any waiting period provided by said unemployment compensation act, be entitled to general assistance.";

And as amended, do pass.

That further consideration of House Bill No. 113 be indefinitely postponed.

That consideration of House Bill No. 407 be passed for the day.

That further consideration of House Bill No. 207 be indefinitely postponed.

That Senate Amendments to House Bill No. 240 be concurred in.

That Substitute House Bill No. 42 do pass.

That consideration of Senate Bills Nos. 54 and 36 be passed for the day.

That House Bill No. 143 be amended in Section 3 by striking out in line 21, page 4 of the original bill, being lines 26 and 27, page 5 of the printed bill, the word "reflectorized", and by further striking out in line 3, page 5 of the original bill, being line 40, page 6 of the printed bill, the word "reflectorized";

Be further amended in Section 13 by striking out in line 12, page 16 of the original bill, being line 15, page 18 of the printed bill, the words "reflector-type";

And as amended, do pass.

That House Bill No. 96 be amended in the title by striking out in lines 4 and 5 of the original bill, being lines 2, 3 and 4 of the printed bill, the words "between the hours of one-half hour after sunset and one-half hour before sunrise" and inserting in lieu thereof the following "during the nighttime hours from twilight until dawn";

Be further amended in Section 1, lines 10, 11 and 12 of the original bill, being lines 2 and 3 of the printed bill, by striking out the words "during the hours of one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise" and inserting in lieu thereof the words "during the nighttime hours from twilight until dawn";

And as amended, do pass.

TRACY, Chairman

Report adopted.

February 15, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 395, 372 and 165, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House adjourn until 9:00 a. m., Saturday, February 16, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk.

FORTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 16, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Adams, Judge and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fortieth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 19, respectfully report as follows: That House Joint Resolution No. 19 do pass.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Memorial No. 18, respectfully report as follows: That House Joint Memorial No. 18 do pass.

KVAALLEN, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 15, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 144, introduced by Michels, Moritz, McGowan, Bovey.

Senate Joint Resolution No. 5 introduced by Dussault, Cook, Cumming, Cashmore.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Spahr that Substitute House Bill No. 172 be taken from General Orders and rereferred to the Committee on Appropriations. Motion carried.

Aasheim, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 401 and that House Bill No. 401 be printed and placed on General Orders. After debate, Haughey moved the previous question. Motion carried. Original motion by Aasheim failed to carry.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 21, introduced by Special Committee on Classification and Appraisal: A joint resolution of the Senate and House of Representatives directing the state board of equalization to report to the Thirty-ninth Legislative Assembly the status of the reclassification and reappraisal program, the status of property tax equalization, and its recommendations for any further legislation, and requesting the assistance of the legislative council in the preparation of such legislation. Referred to Committee on Judiciary.

House Joint Resolution No. 22, introduced by Rosell, Nash, Bashor, Haines, Tracy, Rehberg, Spahr, Eskildsen, Smith, Garrison, Mathers, Wright, Wayrynen, Tooke, Schye: A joint resolution of the Senate and House of Representatives for the appointment of an interim air pollution investigating committee to study the nature, character and extent of air pollution in the state of Montana and in the various communities in the state of Montana and to report to the Thirty-ninth Legislative Assembly. Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 144, introduced by Michels, Moritz, McGowan, Bovey: A bill for an act entitled: "An act relating to motor vehicles; creating, amending and repealing laws on motor vehicle reciprocal or proportional registration agreements, arrangements and declaration with other states, provinces, territories and countries, so as to conform substantially with the model reciprocity and proration draft proposed by the national committee on uniform traffic laws and ordinances; providing a declaration of policy, definitions, creation of Montana motor vehicle reciprocity board, and authority of said board; and providing other related sections for carrying out the policy, construction and administration of this act; providing a severability clause; amending section 53-129, R.C.M., 1947, as amended; repealing section 53-625, R. C. M., 1947, as amended; providing an effective date." Referred to Committee on Highways.

Senate Joint Resolution No. 5, introduced by Dussault, Cook, Cumming, Cashmore: A joint resolution of the Senate and House of Representatives requesting the high schools of Montana to offer a course in family responsibility. Referred to Committee on Education.

Motion was made by Bradford that the House revert to Order of Business No. 5. Motion carried.

Motion was made by Bradford that House Bill No. 382 be taken from the Committee on Constitution, Elections and Federal Relations and that it be printed and placed on General Orders. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 240 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde,

Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Goan. Total 1.

Absent or not voting: Eskildsen, Haines, Weeks. Total 3.

Excused: Adams, Judge, Wright. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Holtz of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 407 be placed at the bottom of the calendar.

That House Joint Memorial No. 15 do pass.

That Substitute House Bill No. 305 do pass.

That House Bill No. 198 do pass.

That consideration of House Bill No. 313 be passed for the day.

That House Bill No. 282 be amended in Article 10 in line 4, page 234 of the original bill by striking the words and figures "June 30, 1964", and inserting in lieu thereof the words and figures "January 1, 1965";

And as amended, do pass.

That House bill No. 395 do pass.

That further consideration of House Bill No. 372 be passed for this sitting.

That further consideration of House Bill No. 165 be indefinitely postponed.

That the Committee rise and report.

HOLTZ, Chairman

Motion was made by Holtz for adoption of the Committee of the Whole report.

Substitute motion was made by Haines that House Bill No. 165 be segregated from the Committee of the Whole report. Haines requested a Call of the House and a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been reported, Haines moved that the Call of the House be dispensed with. Motion carried. Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Baldwin, Bardanouve, Blewett, Broeder, Davis, Deschamps, Eskildsen, Flynn, Good, Haines, Haughey, Healy, Holtz, Jenkins, Johnson, Keller, Lombardi, Lundgren, McNamer, Murray, Nichols, Northey, Pierce, Raundal, Rearden, Reinecke, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch, Mr. Speaker. Total 36.

Noes: Asbjornson, Bailey, Bashor, Beam, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Dykstra, East, Egan, Etchart, Falkenstern, Garri-

son, Gill, Goan, Hanks, Harper, Hawks, Hemstad, Hibbard, Jensen, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Mathers, Nash, Nelson, Nutting, O'Hair, Osburnsen, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Zimmer. Total 54.

Absent or not voting: Beck, Spahr. Total 2.

Excused: Adams, Judge. Total 2.

Original motion by Holtz carried. Committee of the Whole report adopted.

February 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 145, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 96, 275, 347, 167, 143 and Substitute House Bill No. 42.

HARPER

February 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 12, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 7, Substitute House Bill No. 17, and House Bills Nos. 126, 162 and 291.

SELSTAD

February 15, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 185, 186 and 318.

SELSTAD

I have examined House Joint Resolution No. 7 introduced by me and find the same to be correct.

HARPER

I have examined Substitute House Bill No. 17 introduced by me and find the same to be correct.

JENSEN

I have examined House Bill No. 126 introduced by me and find the same to be correct.

GILL

I have examined House Bill No. 162 introduced by me and find the same to be correct.

TURNAGE

I have examined House Bill No. 291 introduced by me and find the same to be correct.

WAYRYNEN

I have examined House Bill No. 185 introduced by me and find the same to be correct.

JENSEN

I have examined House Bill No. 186 introduced by me and find the same to be correct.

JENSEN

I have examined House Bill No. 318 introduced by me and find the same to be correct.

SELSTAD

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 335, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 403, 404, 406, 197, 344, Substitute House Bills Nos. 16, 408, 411, 413 and House Joint Resolution No. 16, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Memorial No. 13, respectfully report as follows: That House Joint Memorial No. 13 do not pass, but that

Substitute House Joint Memorial No. 13—Introduced by the Ways and Means Committee: A joint memorial of the Senate and House of Representatives of the state of Montana, to the Montana congressional delegation, disapproving and opposing further land acquisitions by the United States and its agencies within the state of Montana, and urging and requesting a re-examination of the laws and policies and practices by the United States and its agencies.

Do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11 be amended as follows:

Amend the title by striking everything following the word "relief" on line 6 of the original resolution and adding to the title, following the word "relief" on line 6, the following: "provided there is a commensurate reduction in national spending."

Further amend by striking all material on lines 15 and 16 on page 1 of the original resolution following the word "funds" on line 15, and inserting in lieu thereof the following: "which can be achieved only when

industry has sufficient reserves to reinvest in plant expansion and capital outlay to provide jobs for an expanding labor force, and.”

Further amend by striking in line 17, page 1 of the original resolution, following the words “John F. Kennedy”, “recognizing these principle,”; and by striking in line 19, page 1 of the original resolution, following the word “numerous”, the words “low and moderate income”;

Further amend by adding the word “and” following the comma at the end of line 22, page 1 of the original resolution, and inserting two new paragraphs as follows:

“Whereas, there has been no program outline by the president for a reduction in the national spending, and

“Whereas, tax cuts without deductions in spending will result in overwhelming deficits approaching twenty-five billion dollars (\$25,000,000,000) annually with accompanying inflation and a weakened dollar.”

Further amend by inserting on line 26, page 1 of the original resolution, after the word “and” the following “that it be accompanied by commensurate reductions in national spending, and”

And further amend by striking on line 27, page 1 of the original resolution, following the word “that” all material down to and including the word “instructs” on line 30, page 1 of the original resolution; and by striking on line 30, page 1 of the original resolution, following the word “state” the word “to”.

And as so amended, do pass.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 be amended as follows:

Amend Section 1, line 21 of page 1 after the word “amortize” by adding the following words “his share of”;

And as amended, do pass.

DYKSTRA, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 16, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 10 introduced by Brenner, Mackay, James, Dussault, Rostad.

Senate Bill No. 16 introduced by Nixon.

Senate Bill No. 17 introduced by Groff, Lehrkind, Dussault, Beley.

Substitute Senate Bill No. 40 introduced by Committee on Stockgrowing and Grazing.

Senate Bill No. 43 introduced by Durkee, Dussault, Reardon.

Substitute Senate Bill No. 45 introduced by Committee on Fish and Game.

Senate Bill No. 130 introduced by McKeon.

Senate Bill No. 142 introduced by Michels, Bovey, Moritz, McGowan.

Senate Bill No. 149 introduced by Cotton.

Senate Bill No. 152 introduced by McDonnell, Dussault.

Senate Bill No. 189 introduced by Reardon.

Senate Bill No. 201 introduced by McKeon.

Senate Bill No. 205 introduced by Huntley.

Senate Joint Resolution No. 10 introduced by Moberly, Bentz, Breen, Siderius.

Senate Joint Resolution No. 16 introduced by Durkee, McDonnell, Groff.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 10, introduced by Brenner, Mackay, James, Dussault, Rostad: A bill for an act entitled: "The Department of Administration Act" creating a department of administration with duties and powers in the areas of accounting, purchasing, budgeting, planning and construction of state buildings, records management, maintenance and custody of capital building, and general services; abolishing the state records committee, the state laboratory commission, the veterans' memorial fund commission, the state furnishing board, and the office of capital custodian; amending sections 26-103, 75-210, 75-310, 77-417, 77-419, 78-202, 78-302, 79-1012, 82-109.2, 82-308 and 82-3205, R.C.M. 1947; repealing sections 78-101 through 78-109, 78-201, 78-203 through 78-208, 78-210, 78-211, 78-301, 78-303 through 78-308, 78-401 through 78-416, 78-601 through 78-620, 78-701 through 78-736, 78-801 through 78-818, 78-901 through 78-909, 82-1125, 82-1132, 82-1134, 82-1601 through 82-1606, and 82-3201 through 82-3204, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 16, introduced by Nixon: A bill for an act entitled: "An act to amend Section 11-726, R. C. M. 1947, by increasing the salaries of police judges in cities of the second and third classes." Referred to Committee on Affairs of Cities.

Senate Bill No. 17, introduced by Groff, Lehrkind, Dussault, Beley: A bill for an act entitled: "An act establishing a state system of higher education; designating the names of the component units; specifying the titles of the chief administrative officers of the component units; defining the powers and duties of the chief administrative officers of the component units; vesting general control in the board of regents; and repealing sections 75-401, 75-402, 75-402.1, 75-403, and 75-408, R. C. M. 1947; providing an effective date." Referred to Committee on Education.

Substitute Senate Bill No. 40, introduced by Committee on Stockgrowing and Grazing: A bill for an act entitled: "An act to amend Section 46-906, R. C. M. 1947, relating to definitions; to amend Section 46-908, R. C. M. 1947, relating to application for certificate to operate livestock market by providing that applicant not be required to show public convenience and necessity for such market if proposed site is seventy-two (72) miles from established market and within five (5) miles of an incorporated city or town; to amend Section 46-909, R. C. M. 1947, relating to hearing and procedure and issuance of certificates by providing that

certificate may be issued to applicant if site of proposed livestock market is seventy-two (72) miles from established market and within five (5) miles of an incorporated city or town; and providing an effective date." Referred to Committee on Livestock and Ranges.

Senate Bill No. 43, introduced by Durkee, Dussault, Reardon: A bill for an act entitled: "An act to abolish local executive boards for the units of the University of Montana by amending Sections 75-302, 75-602, 75-902, 75-1003, 75-1103, R. C. M. 1947, and repealing Section 75-905, R. C. M. 1947." Referred to Committee on Education.

Substitute Senate Bill No. 45, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to establish the policy of the state of Montana on protection of fishing streams; providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana fish and game commission and for review of such plans; and providing for arbitration of disagreements between the fish and game commission and the agency proposing such projects." Referred to Committee on Fish and Game.

Senate Bill No. 130, introduced by McKeon: A bill for an act entitled: "An act to amend Section 11-1832, Revised Codes of Montana, 1947, to increase the minimum wage of policemen of first and second class cities from three hundred and fifty dollars (\$350.00) to three hundred and seventy-five dollars (\$375.00) per month." Referred to Committee on Affairs of Cities.

Senate Bill No. 142, introduced by Michels, Bovey, Moritz, McGowan: A bill for an act entitled: "An act to redefine occasional transportation 'for hire' operation, and prima facie acts deeming a person to be a motor carrier; increasing fines imposed for violations; and amending Sections 8-101, 8-119 and 8-121, R. C. M. 1947." Referred to Committee on Highways.

Senate Bill No. 149, introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-3414, R. C. M. 1947, relating to budgets and levies for school transportation and providing that reserve funds shall be included in transportation budgets to provide funds for maintaining transportation service from July 1 to November 30 of the next succeeding school year and limiting the size of such reserve funds." Referred to Committee on Education.

Senate Bill No. 152, introduced by MacDonald, Dussault: A bill for an act entitled: "An act to amend Sections 25-232, 25-233, and 82-503, R. C. M. 1947, to provide for an increase in certain fees to be collected by the clerks of the district and supreme courts." Referred to Committee on Highways.

Senate Bill No. 189, introduced by Reardon: A bill for an act entitled: "An act relating to printing for the state of Montana, amending Sections 82-1137 and 82-1138, R. C. M. 1947, providing requirements for responsible bidders; providing that state printing be done within the state where adequate and responsible bidders are available; providing penalties for violations of the act." Referred to Committee on Labor and Compensation.

Senate Bill No. 201, introduced by McKeon: A bill for an act entitled: "An act amending Sections 53-422 and 53-432, R. C. M. 1947, by increasing the amounts necessary as security or to satisfy judgments for persons involved in motor vehicle accidents and not released from liability." Referred to Committee on Judiciary.

Senate Bill No. 205, introduced by Huntley: A bill for an act entitled: "An act to amend Section 53-438, R. C. M. 1947, increasing the limits of liability insurance as proof of financial responsibility and containing a repealing clause." Referred to Committee on Judiciary.

Senate Joint Resolution No. 10, introduced by Moberly, Bentz, Breen,

Siderius: A joint resolution of the Senate and House of Representatives supporting continued operation of the Montana Soldiers' Home at Columbia Falls, and requesting studies and recommendation for a long-range plan for future needs. Referred to Committee on State Administration.

Senate Joint Resolution No. 16, introduced by Durkee, MacDonald, Groff: A joint resolution of the Senate and House of Representatives requesting the legislative council to study the rules of the House and Senate. Referred to Committee on Rules and Journal.

February 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 240.

SELSTAD

I have examined House Bill No. 240 introduced by me and find the same to be correct.

NUTTING

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 21, respectfully report as follows: That House Joint Resolution No. 21 do pass.

HAUGHEY, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 96 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 82.

Noes: Broeder, Davis, Haines, Johnson, Keller, Lundgren, Murray. Total 7.

Absent or not voting: Egan, Slaby, Swanz. Total 3.

Excused: Adams, Judge. Total 2.

House Bill No. 275 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Hawks, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smith, Spahr, Spilde, Stranahan, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Mr. Speaker. Total 71.

Noes: Blewett, Bradford, Flynn, Haines, Hanks, Harper, Healy, Hemstad, Nichols, Northey, O'Hair, Shelden, Smiley, Thompson, Tracy, Welch, Zimmer. Total 17.

Paired: Adams, aye; Haughey, no.

Absent or not voting: Egan, Murray, Swanz. Total 3.

Excused: Judge. Total 1.

House Bill No. 347 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Smith, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 78.

Noes: Bashor, Brenner, Casey, Eskildsen, Hanks, Jenkins, Lund, Schepens, Wayrynen, Wright, Zimmer. Total 11.

Absent or not voting: Egan, Murray, Swanz. Total 3.

Excused: Adams, Judge. Total 2.

House Bill No. 167 was passed by the following vote:

Ayes: Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 60.

Noes: Aasheim, Bailey, Bashor, Bradford, Brenner, Cummings, Davis, Eskildsen, Flynn, Gill, Good, Harper, Healy, Johnson, Lewis, Lombardi, O'Hair, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch. Total 26.

Paired: Swanz, aye, Hanks, no; Adams, aye, Bardanouve, no.

Absent or not voting: Egan, Murray, Zimmer. Total 3.

Excused: Judge. Total 1.

House Bill No. 143 was passed by the following vote:

Ayes: Bailey, Baldwin, Beam, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 67.

Noes: Aasheim, Asbjornson, Bashor, Beck, Boughton, Broeder, Casey, Crum, Etchart, Falkenstern, Hemstad, Kvaalen, Nash, Raundal, Rehberg, Rosell, Smith, Stranahan, Woodard, Wright. Total 20.

Paired: Swanz, aye, Goan, no; Bardanouve, aye, Adams, no.

Absent or not voting: Egan, Murray. Total 2.

Excused: Judge. Total 1.

Substitute House Bill No. 42 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Bradford. Total 1.

Absent or not voting: Egan, Murray, Swanz. Total 3.

Excused: Adams, Judge. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of General Orders be passed for the day. Motion carried.

Motion was made by Blewett that the House take up a special order of business for the purpose of discussing the report of the Special Committee on Classification and Appraisal. Motion carried.

February 16, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 104, 314, 409, 255, 163 and 405 beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 16, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 198, Substitute House Bill No. 305, House Bill No. 395 and House Joint Memorial No. 15.

HARPER

Motion was made by Blewett that the House adjourn until 2:30 p.m., Sunday, February 17, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 17, 1963

House convened, pursuant to adjournment, at 2:30 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Adams, Baldwin, Beck, Bradford, Crum, Flynn, Gill, Good, Hanks, Harper, Healy, Hemstad, Johnson, Lombardi, McNamer, Nutting, O'Hair, Regan, Reinecke, Schye, Selstad, Seymour, Shelden, Smiley, Swanz, Thompson, Tracy, Wayrynen, Welch, Wright, Falkenstern, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22 do pass.

KELLER, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 15, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 78—Introduced by Leuthold.

House Bill No. 51—Introduced by Wayrynen and Beck.

House Bill No. 86—Introduced by Selstad, et al.

House Bill No. 108—Introduced by Keller and Haines.

House Bill No. 342—Introduced by Blewett, et al.

House Bill No. 212—Introduced by Regan and Murray.

House Joint Memorial No. 12—Introduced by Hawks, et al.

Yours truly,

TIM BABCOCK,
Governor.

February 16, 1963

Mr. Speaker

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 28 introduced by McKeon, Reardon.

Substitute for Senate Substitute Bill No. 87 introduced by Committee on Irrigation and Water.

Senate Bill No. 107 introduced by Bovey, Gerard, McElwain.

Senate Bill No. 110 introduced by McKeon, Durkee, Reardon.

Senate Bill No. 135 introduced by McKeon.

Senate Bill No. 139 introduced by McKeon, et al.

Senate Bill No. 146 introduced by Durkee, Brenner.

Senate Bill No. 148 introduced by Stein, Lehrkind.

Senate Bill No. 157 introduced by Graham, Hilling.

Senate Bill No. 167 introduced by Melcher, Rostad, Manning.

Senate Bill No. 170 introduced by Lehrkind, McGowan.

Substitute Senate Bill No. 171 introduced by Committee on Commerce and Labor.

Senate Bill No. 190 introduced by McKeon, Dussault, Cumming, Huntley.

Senate Bill No. 193 introduced by Hilling, Dussault, McGowan, Bovey.

Senate Bill No. 204 introduced by Cotton.

Senate Bill No. 216 introduced by Siderius.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Egan, having voted on the prevailing side, moved that the House reconsider its action of the previous day in adopting the Committee of the Whole report as it pertains to House Bill No. 165.

Substitute motion was made by Blewett that action on the previous motion by Egan be postponed until the next legislative day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 28, introduced by McKeon, Reardon: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one (1) over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict therewith; and providing for an effective date." Referred to Committee on Ways and Means.

Senate Substitute for Senate Substitute Bill No. 87, introduced by Committee on Irrigation and Water: A bill for an act entitled: "An act to permit the successor in interest to the rights of a licensed water well contractor under a contract for water well construction to engage in the water well construction business to the extent necessary to fulfill said

contractor's obligations and providing conditions therefor; amending Section 66-2602, R. C. M. 1947, as amended, to permit compliance with the examination and licensing provisions of the Montana water well contractor's license act by any one member of a firm, copartnership or association or the manager of a corporation; amending Section 66-2605, R. C. M. 1947, as amended, to make permissive the exacting of a fee for copies of board rules and regulations; and amending Section 66-2606, R. C. M. 1947, as amended, to permit the temporary licensing of a water well contractor prior to examination for competency and providing conditions therefor." Referred to Committee on Agriculture.

Senate Bill No. 107, introduced by Bovey, Gerard, McElwain: A bill for an act entitled: "An act constituting the several district courts, courts of conciliation for the purpose of protecting the rights of children and to promote and protect the family life and the institution of matrimony by providing a means for reconciliation of spouses and the amicable settlement of domestic and family controversies, and specifically where minor children are involved; defining the jurisdiction of said courts and to establish such courts which requires a determination by the judge or judges of the district whether such conciliation court is necessary in said district; providing for the designation of a judge to handle conciliation cases, necessary personnel, and payment of the expenses of said courts of conciliation by the respective counties in which said court is functioning; the manner of holding conferences, privacy of hearings, proceedings and recommendations; no fees to be charged, the hearings to be informal, stay of divorce proceedings for not to exceed thirty days to give the parties an opportunity for a reconciliation conference, transfer of cases to the conciliation court when it appears that the welfare of minors is going to be seriously affected and permitting the jurisdiction of the conciliation court where no minors are involved if it appears that a reconciliation may be had, granting the conciliation court the same powers as a district court under the constitution of the state of Montana, Article 8, Section 1, Section 93-301 to 93-321 inclusive, Revised Codes of Montana, 1947, and acts amendatory and relating thereto, including the right of disqualification of judges of courts of conciliation." Referred to Committee on Judiciary.

Senate Bill No. 110, introduced by McKeon, Durkee, Reardon: A bill for an act entitled: "An act to provide medical assistance for the aged." Referred to Committee on Appropriations.

Senate Bill No. 135, introduced by McKeon (by request): A bill for an act entitled: "An act to amend Section 71-222, R. C. M. 1947, which concerns per capita and millage taxes to be levied for support of the county poor fund and which forbids the expenditure of any part of the county poor fund for maintenance or improvement of any building so long as the fund is needed for relief or public assistance within the county; to provide that expenditures for maintenance or improvement of county buildings used directly for care of the poor may be made out of any monies in the county poor fund where such maintenance or improvement is required by order of the state board of health and approved by the public welfare department; containing a repealing clause." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 139, introduced by McKeon, Siderius, Reardon, Mahoney, Jensen, Hafferman, O'Neill: A bill for an act entitled: "An act relating to workmen's compensation amended Sections 92-701, 92-702, 92-703, 92-704, 92-709, R. C. M. 1947, by increasing compensation in cases of temporary total, permanent total, and partial disability, for injuries causing death, and certain specific loss injuries; providing an effective date." Referred to Committee on Labor and Compensation.

Senate Bill No. 146, introduced by Durkee, Brenner: A bill for an act entitled: "An act to amend Section 4-104, R. C. M., 1947, pertaining to the creation, qualifications and term of the Montana liquor control board; providing for a five (5) member board; providing for removal of mem-

bers by the governor; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 148, introduced by Stein, Lehrkind: A bill for an act entitled: "An act to amend Sections 75-4120, 75-4121, 75-4122, 75-4123, 75-4124, 75-4125, 75-4126, 75-4127, 75-4128, 75-4130, 75-4133, 75-4134, and 75-4138 of the Revised Codes of Montana of 1947; providing means whereby county high schools may be unified and made a part of the school system of the district in which they are located; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Education.

Senate Bill No. 157, introduced by Graham, Hilling: A bill for an act entitled: "An act pertaining to the registration of motor vehicles; requiring removal of license plates from motor vehicles upon transfer of ownership; authorizing original owner to transfer license plates from original motor vehicle to another motor vehicle acquired during current registration year upon proper application and payment of fees and taxes, if any; requiring new application and registration for all motor vehicles transferred; repealing Sections 53-103, and 53-135; and amending Sections 53-114, 53-106, 53-108, 53-109, 53-115, 53-119, 53-106.6 and 53-622." Referred to Committee on Highways.

Senate Bill No. 167, introduced by Melcher, Rostad, Manning: A bill for an act entitled: "An act to amend Section 72-123, R. C. M. 1947, to require approval of the board of railroad commissioners prior to curtailment or discontinuance of freight service." Referred to Committee on Business and Industry.

Senate Bill No. 170, introduced by Lehrkind, McGowan: A bill for an act entitled: "An act to amend Section 75-402, R. C. M. 1947, relating to legal names of units of university of Montana; changing the name of Montana state college to Montana state university; changing name of Montana state university to university of Montana; repealing Section 75-401, R. C. M. 1947; and providing an effective date." Referred to Committee on Rules.

Substitute Senate Bill No. 171, introduced by Committee on Commerce and Labor: A bill for an act entitled: "An act to prohibit retail sale of certain merchandise on Sunday, to prohibit requiring or permitting employees to sell certain retail merchandise on Sunday, and providing exceptions and definitions and penalties for violations." Referred to Committee on Rules.

Senate Bill No. 190, introduced by McKeon, Dussault, Cumming, Huntley: A bill for an act entitled: "An act authorizing any and all departments of the state of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents; and containing a repealing clause." Referred to Committee on Rules.

Senate Bill No. 193, introduced by Hilling, Dussault, McGowan, Bovey: A bill for an act entitled: "An act amending Section 53-122, R. C. M. 1947, relating to registration fees of motor vehicles and the disposition thereof; providing that the funds in the county motor vehicle fund shall be equitably dispersed under a unit plan; prescribing the method and procedure of determining "city units" and "rural units"; specifying the duties of the county treasurer and board of county commissioners in each county in calculating and distributing the county road funds and the city road funds; providing for the use of the county road funds and city road funds; and providing an effective date." Referred to Committee on Highways.

Senate Bill No. 204, introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-1630, R. C. M. 1947, relating to transfer of

funds between school districts; to provide that parents denied permission to have children attend schools outside district of residence may pay the costs and have the children attend the other school; and providing that a waiver of costs by a district receiving pupils from other districts applies equally to all pupils." Referred to Committee on Rules.

Senate Bill No. 216, introduced by Siderius: A bill for an act entitled: "An act to amend section 13, chapter 251, Laws of 1961, compiled as section 15-2013, R. C. M. 1947, pertaining to the securities act of Montana; exempting securities issued by a local development company; defining a local development company; and providing an effective date." Referred to Committee on Business and Industry.

The Speaker signed the following bills in open session, the titles having first been read: House Joint Resolution No. 7, Substitute House Bill No. 17, and House Bills Nos. 126, 162, 185, 186, 240, 291 and 318.

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that third reading of House bills be passed for the day. Motion carried.

Motion was made by Blewett that the House revert back to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Memorial No. 17, respectfully report as follows: That House Joint Memorial No. 17 do pass.

KELLER, Chairman

Report adopted.

February 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Joint Memorial No. 13, House Joint Memorial No. 9, House Joint Resolutions Nos. 19, 17, 14 and 13, House Joint Memorial No. 18, House Joint Resolutions Nos. 18, 21 and 11, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 156 and 135, Substitute House Bills Nos. 214 and 158, House Bills Nos. 250, 355, 227, 234, 296, 323, 310, 309, 219, and Substitute House Bill No. 222, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 396, Substitute House Bill No. 397, House Joint Memorial No. 16, House Substitute to Senate Bill No. 109, House Bills Nos. 117 and 92, Substitute House Bill No. 196 and House Bill No. 410, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

February 17, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Joint Resolution No. 22, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for the day. Motion carried.

Motion was made by Blewett that the House adjourn until 9:00 a.m., Monday, February 18, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

FORTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 18, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Crum, Hemstad, Woodward and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

HAWKS, Chairman

MOTIONS AND RESOLUTIONS

Blewett informed the House that the motion pending before it was the previous day's motion by Egan that the House reconsider its action in adopting the Committee of the Whole report as it pertains to House Bill No. 165. Motion by Egan carried.

Motion was made by Blewett that House Bill No. 165 be segregated from the Committee of the Whole report. Motion carried.

Motion was made by Blewett that the Committee of the Whole report be adopted as amended. Motion carried.

Motion was made by Pierce that Senate Joint Memorial No. 8 be taken from the Committee on Fish and Game and rereferred to the Committee on Highways. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 198 failed to pass by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Boughton, Bradford, Brenner, Cummings, Egan, Falkenstern, Garrison, Good, Harper, Hawks, Healy, Laas, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Raundal, Rehberg, Schepens, Swanz, Tooke, Watt, Weeks, Welch, Zimmer, Mr. Speaker. Total 35.

Noes: Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Broeder, Casey, Davis, Deschamps, Dykstra, East, Eskildsen, Flynn, Gill, Goan, Haines, Hanks, Haughey, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Murray, Nichols, Northey, Pierce, Rearden, Regan, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tracy, Turnage, Twedt, Wayrynen. Total 52.

Absent or not voting: Etchart, Hibbard, Lundgren. Total 3.

Excused: Crum, Hemstad, Woodard, Wright. Total 4.

Substitute House Bill No. 305 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Cummings, Deschamps, Dykstra, East, Egan, Falkenstern, Flynn, Garrison, Gill, Goan, Haines, Hanks, Harper, Haughey, Hawks, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Swanz, Thompson, Tooke, Turnage, Watt, Welch, Zimmer, Mr. Speaker. Total 70.

Noes: Asbjornson, Bashor, Boughton, Casey, Davis, Eskildsen, Good, Healy, Johnson, Laas, Lombardi, Slaby, Spilde, Stranahan, Tracy, Twedt, Wayrynen. Total 17.

Absent or not voting: Etchart, Hibbard, Weeks. Total 3.

Excused: Crum, Hemstad, Woodard, Wright. Total 4.

House Bill No. 395, requiring a two-thirds vote, failed to pass by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Mr. Speaker. Total 54.

Noes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 34.

Absent or not voting: Etchart, Hibbard. Total 2.

Excused: Crum, Hemstad, Woodard, Wright. Total 4.

House Joint Memorial No. 15 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Zimmer, Mr. Speaker. Total 82.

Noes: Davis, Johnson, Spahr, Tracy, Wayrynen. Total 5.

Absent or not voting: Etchart, Hibbard, Pierce. Total 3.

Excused: Crum, Hemstad, Woodard, Wright. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Murray of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 403 do pass.

That House Bill No. 404 do pass.

That House Bill No. 405 do pass.

That House Bill No. 406 do pass.

That House Bill No. 197 do pass.

That House Bill No. 409 do pass.

That Substitute House Bill No. 16 be amended in line 17, page 4 of the original bill, being line 6, page 6 of the printed bill, by adding a complete new section to read as follows:

"Section 10. Notwithstanding any provision of the laws of the State of Montana to the contrary, no fee shall be charged by the County Clerk for the filing of the certificate required herein.";

And as amended, do pass.

That House Bill No. 407 do pass.

That Substitute House Bill No. 408 do pass.

That Substitute House Bill No. 413 do pass.

That House Joint Resolution No. 16 do pass.

That House Joint Resolution No. 21 do pass.

That House Bill No. 410 do pass.

That the Committee arise and report progress and beg leave to sit again

MURRAY, Chairman

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 343, 382 and 391, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 17, 126, 162, 185, 186, 240, 291 and 318, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:30 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Substitute House Bill No. 139, respectfully report as follows: That Substitute House Bill No. 139 be amended as follows:

By amending in Section 1, page 1, line 19 of the original bill, being page 1, line 6 of the printed bill by striking the following: "twenty-five dollars (\$25.00)" and inserting in lieu thereof the following: "twenty dollars (\$20.00)";

And be further amended in line 25 of the original bill, being lines 11 and 12 of the printed bill by striking the following: "Two thousand five hundred dollars (\$2,500)" and replace in line 24 of the original bill which is line 10 and 11 of the printed bill "one thousand five hundred dollars (\$1,500)" by removing the previous deletion.

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be amended as follows:

Amend the title of the bill, line 7, page 1, following the word "aged" by striking the period and quotes "." and inserting in lieu thereof the semi-colon and words "; providing this act shall be in full force and effect upon passage and approval."

And further amend on line 23, page 1 by adding the following: "Section 3. This act shall be in full force and effect upon passage and approval."

And as amended, be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be concurred in.

ADAMS, Chairman

Report adopted.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Murray of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 411 do pass.

That House Bill No. 344 do pass.

That House Bill No. 314 be moved up to follow House Bill No. 313.

That House Bill No. 313 do pass.

That House Bill No. 314 do pass.

That further consideration of House Bill No. 372 be indefinitely postponed.

That House Bill No. 117 be considered at this time.

That House Bill No. 117 be amended in Section 3 by striking out in lines 14 and 15, page 2 of the original bill, being lines 1 and 2, page 2 of the printed bill, the words "the state hospital at Warm Springs" and inserting in lieu thereof the words "a location at the discretion of the State Controller";

And as amended, do pass.

That House Bill No. 340 do pass.

That further consideration of House Bill No. 145 be indefinitely postponed.

That House Bill No. 335 do pass.

That House Bill No. 104 do pass.

That House Bill No. 255 do pass.

That consideration of House Bill No. 163 be deferred for this sitting.

That House Joint Resolution No. 12 do pass.

That consideration of Senate Bills Nos. 54, 36 and 53 be passed for this sitting.

That Substitute House Joint Memorial No. 13 do pass.

That House Joint Memorial No. 9 do pass.

That the Committee rise and report.

MURRAY, Chairman

Motion was made by Murray for adoption of the Committee of the Whole report.

Substitute motion was made by Adams that House Bill No. 335 be segregated from the Committee of the Whole report. After debate, Eskildsen moved the previous question. Motion carried. Substitute motion by Adams failed to carry.

Original motion by Murray carried. Committee of the Whole report adopted.

February 18, 1963

Mr. Speaker: We your Committee on Bills, to whom was referred Substitute House Bill No. 139, beg leave to report that the same has this date been returned from the printer correctly printed .

NASH, Vice-Chairman

Motion was made by Blewett that the House recess until 7:30 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

February 18, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on Local Government recommended the following:

That House Bill No. 209 be not concurred in but that Senate Substitute for House Bill No. 209 do pass.

That House Joint Memorial No. 6 be not concurred in but that Senate Substitute for House Joint Memorial No. 6 do pass.

House Bill No. 209 and House Joint Memorial No. 6 are herewith returned to the House.

I am further directed to inform you that the following House Bill this day failed to be concurred in on third reading and the same is herewith returned to the House:

House Bill No. 385 introduced by Dykstra, Haughey.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 18, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 55 introduced by Turnage, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 18, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 118 introduced by Beam, Wayrynen, Lucas, Slaby

House Bill No. 190 introduced by Keller, Seymour, Holtz, Selstad, Northey

House Bill No. 235 introduced by Rehberg, Lucas

House Bill No. 236 introduced by Rehberg, Lucas

House Bill No. 327 introduced by Committee on Agriculture and Irrigation

House Bill No. 337 introduced by Jensen, Turnage, Lundgren

House Joint Memorial No. 10 introduced by Haughey, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that the Speaker be asked to request an opinion from the Attorney General regarding the constitutionality of House Bills Nos. 313 and 314. Motion carried.

Motion was made by Rosell that House Bill No. 165 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion carried.

Bradford, having voted on the prevailing side, moved that the House reconsider its action previously taken in asking the Speaker to request an opinion of the Attorney General as to the constitutionality of House Bills No. 313 and 314.

Substitute motion was made by Kvaalen that the motion by Bradford be laid on the table. Motion failed to carry. Original motion by Bradford carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Haughey that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Murray of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 163 be passed for the day.

That consideration of Senate Bills Nos. 54, 36 and 53 be passed for the day.

That House Joint Resolution No. 19 do pass.

That House Joint Resolution No. 17 do pass.

That House Joint Resolution No. 14 do pass.

That consideration of House Joint Memorial No. 13 be passed for the day.

That House Joint Memorial No. 18 do pass.

That House Joint Resolution No. 18 do pass.

That further consideration of House Joint Resolution No. 11 be passed for the day.

That House Bill No. 156 do pass.

That House Bill No. 135 do pass.

That Substitute House Bill No. 214 do pass.

That House Bill No. 250 do pass.

That consideration of House Bill No. 158 be placed after House Bill No. 296 on the calendar.

That House Bill No. 355 do pass.

That House Bill No. 227 do pass.

That House Bill No. 234 do pass.

That House Bill No. 296 do pass.

That Substitute House Bill No. 158 be amended by adding as a separate paragraph immediately following Section 1 on page 3 of the original bill, being page 3 of the printed bill, a new section to read as follows:

"Section 2. The provisions of this act shall not apply to any district or high school in which the average annual percentage increase in average number belonging as computed in subsection (1) of Section 1 is less than three per cent (3%).";

Be further amended by striking out in line 12, page 2 of the original bill, being line 1, page 3 of the printed bill, following the word "Section", the figure "2", and inserting in lieu thereof the figure "3";

And as amended, do pass.

That House Bill No. 323 do pass.

That House Bill No. 310 do pass.

That House Bill No. 309 do pass.

That House Bill No. 219 be amended in Section 1 by inserting in line 18 of the original bill, being line 12 of the printed bill, after the word "the" and before the word "interest", the words "common school";

And as amended, do pass.

That further consideration of Substitute House Bill No. 222 be indefinitely postponed.

That consideration of House Bill No. 396 be deferred until after consideration of Substitute House Bill No. 397.

That Substitute House Bill No. 397 do pass.

That House Bill No. 396 do pass.

That the Committee rise and report.

MURRAY, Chairman

Motion was made by Murray for the adoption of the committee report.

Substitute motion was made by Etchart that House Bill No. 222 be segregated from the Committee of the Whole report. After debate, Mathers moved the previous question. Motion carried. Substitute motion by Etchart failed to carry.

Original motion by Murray carried. Report adopted.

Motion was made by Haughey that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that House Joint Resolution No. 11 be taken from General Orders and referred to the Committee on Rules. Motion carried.

February 18, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bills Nos. 411 and 408, House Bill No. 344, Substitute House Bill No. 413, House Bills Nos. 403, 404, 405, 406, 407, 409, Substitute House Bill No. 16, House Joint Resolution No. 21, House Joint Resolution No. 16, House Bills Nos. 410 and 197.

HARPER

February 18, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 9, House Joint Resolution No. 12, Substitute House Joint Memorial No. 13, House Bills Nos. 313, 314, 335, 117, 255, 104 and 340.

HARPER

Motion was made by Haughey that the House adjourn until 10:00 a.m. Tuesday, February 19, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 19, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by Representative Weeks.

On roll call all members were present except Blewett, Dykstra, Hemstad and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-third Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 18, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 17, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 110, respectfully report as follows: That Senate Bill No. 110 be not concurred in.

HAWKS, Chairman

Motion was made by Hawks for adoption of the committee report.

Substitute motion was made by Eskildsen that Senate Bill No. 110 be concurred in. Wayrynen requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. After debate, Mathers moved the previous question. Motion carried. Roll call vote was taken, and the substitute motion by Eskildsen failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 36.

Noes: Adams, Asbjornson, Baldwin, Beam, Beck, Boughton, Broeder, Casey, Crum, Deschamps, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Mr. Speaker. Total 54.

Absent or not voting: None.

Excused: Blewett, Dykstra, Hemstad, Wright. Total 4.

Original motion by Hawks carried. Committee report adopted..

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute Senate Bill No. 9, respectfully report as follows: That Substitute Senate Bill No. 9 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be not concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 160, respectfully report as follows: That Senate Bill No. 160 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be concurred in.

BROEDER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Lucas, having voted on the prevailing side, moved that the House reconsider its action of the previous day in adopting an adverse committee report on House Bill No. 307. Motion failed to carry.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 416, introduced by Haines, Asbjornson: An act to appropriate money to the Superintendent of Public Instruction for operation, capital and grants and benefits for the biennium ending June 30, 1965.

THIRD READING OF HOUSE BILLS

Motion was made by Haughey that consideration of Third Reading of House Bills be passed for this sitting. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Haughey that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 163 do pass.

That House Joint Resolution No. 13 do pass.

That House Joint Memorial No. 16 do pass.

That consideration of House Substitute to Senate Bill No. 109 be deferred until after consideration of Substitute House Bill No. 139.

That House Bill No. 92 be amended in Section 1 by striking out all of lines 25 through 31 inclusive, page 3 of the original bill, being lines 82 through 89 inclusive, page 4 of the printed bill.

Be further amended in Section 1 by striking out in line 32, page 3 and lines 1 through 22 inclusive, page 4 of the original bill, being lines 90 through 114 inclusive, pages 4 and 5 of the printed bill, all of Subsection (b) and inserting in lieu thereof the following:

“(b) The license fees held in the city road fund, as hereinbefore provided, at the end of each thirty (30) day period beginning March 1, 1955, be paid by the county treasurer to the city treasurer to be held by such city treasurer in a separate fund designated as the “city road fund,” shall be used by the city council of such city having the population of thirty-five thousand (35,000) or more, or by the city council of such city which lies within one (1) mile of the city limits of an incorporated city of the state of Montana, having a population of thirty-five thousand (35,000) or more, according to the federal census of 1930, or by the city council of such city having a population of ten thousand (10,000), or more, according to the federal census of 1950 and situated in a county which has an area of less than seven hundred and fifty (750) square miles, only for the construction of permanent highways and streets within the boundaries of such incorporated city. Provided, that all construction of public highways and streets, the cost of which is to be paid out of the fund derived from the license fees as herein provided, shall be under the supervision of the county surveyor of the county within whose boundaries such city is situated, subject to the control of the said city council and surveyor to designate the public highway or street upon which the work is to be done, and the type of pavement to be used, and provided further, that the cost of the supervision of the county surveyor shall not exceed five per cent (5%) of the cost of said work.

Be further amended in Section 1 on page 4 of the original bill, being page 5 of the printed bill, by inserting after the above mentioned Subsection (b) the following:

“(c) In every county which does not have within its borders a city and area coming within the provisions of subsections (a) and (b) above, the net license fee derived from the registration of motor vehicles shall be by the registrar of motor vehicles transmitted to, and paid over to the county treasurer of each such county and shall be allocated and divided by the county treasurer as hereinafter provided. The motor vehicle license fund in each such county shall be divided between accounts designated as “city road fund” and “county road fund” in a pro rata manner based upon the total number of miles of all public streets and highways situated within the limits of incorporated cities and towns within each county as compared with the total number of miles of public streets and highways situated within the county, but outside the corporate limits of any incorporated cities and towns.”;

Be further amended in Section 1 by inserting in line 23, page 4 of the original bill, being line 115, page 5 of the printed bill after the word “as” the word “hereinabove” and striking in lines 23 and 24, page 4 of the original bill, being lines 115 and 116, page 5 of the printed bill, the words “in subsection (a) above”;

Be further amended in Section 1 in line 10, page 5 of the original bill, being line 128, page 6 of the printed bill, by striking the following: “(c)”;

Be further amended in Section 1 in lines 11 through 14 inclusive, page 5 of the original bill, being lines 129 through 132 inclusive, page 6 of the printed bill, by striking the following: “by the registrar of motor vehicles transmitted to, and paid over to the county treasurer of the

county from which the registration fee came, such fees, excepting apportionment to the city road fund, to be";

Be further amended in Section 1 in line 6, page 7 of the original bill, being line 191, page 8 of the printed bill, by inserting after the words "each county" the following: "which does not have within its borders a city and area coming within the provisions of subsections (a) and (b) above";

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

JUDGE, Chairman

Motion was made by Judge for adoption of the Committee report.

Substitute motion was made by Haughey that House Bill No. 163 be segregated from the Committee of the Whole report. Motion carried.

Report adopted as amended.

Motion was made by Haughey that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 18, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 323, 234, 227, 355, 250, 156, 310, 135, 296, 396, Substitute House Bills Nos. 397, 158, 214, House Joint Resolution No. 14, House Joint Resolution No. 19, House Joint Resolution No. 18, House Joint Memorial No. 18 and House Joint Resolution No. 17.

HARPER

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

ETCHART, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be concurred in.

ETCHART, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be not concurred in.

ETCHART, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be not concurred in.

ETCHART, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 162, respectfully report as follows: That Senate Bill No. 162 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 161, respectfully report as follows: That Senate Bill No. 161 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Memorial No. 7, respectfully report as follows: That Senate Joint Memorial No. 7 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be not concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 be amended as follows:

Amend Section 6, line 27, page 3 of the original bill, being line 2, page 4 of the printed bill by striking after the word "shall" the remainder of the section and inserting in lieu thereof the following: "receive twenty dollars (\$20.00) per diem not to exceed six hundred dollars (\$600.00) per person for the biennium"

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 19, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 22 introduced by Hibbard, Bardanouve, Nichols

House Bill No. 141 introduced by Weeks, Smiley, Aasheim, Swanz

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 19, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 64 introduced by Goan, Haughey, Thompson
 House Bill No. 213 introduced by Leuthold, Beam, Haughey, Goan
 House Bill No. 232 introduced by Dykstra, Schye, Judge, Schepens, Crum
 House Bill No. 233 introduced by Lucas, Tooke, Spilde
 House Bill No. 316 introduced by Reinecke, Leuthold
 House Bill No. 390 introduced by McNamer
 House Bill No. 402 introduced by Adams, Bardanouve

Respectfully,

ALLEN DONOHUE
 Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Healy that the House grant him permission to reintroduce House Bill No. 97. The Speaker referred the motion to the Rules Committee.

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that Third Reading of House Bills be passed for the present time.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 163 be passed for this sitting.

That Substitute House Bill No. 196 be amended in Section 1 by striking out in line 22, page 1 of the original bill, being line 11, page 1 of the printed bill, after the word "if", the words "any of the defendants" and inserting in lieu thereof the words "all of the parties";

Be further amended in Section 1 by striking out in line 27, page 1 of the original bill, being line 16, page 2 of the printed bill, after the word "by" the words "any defendant", and inserting in lieu thereof the words "all parties";

And as amended, do pass.

That House Joint Resolution No. 22 do pass.

That House Bill No. 166 do pass.

That Senate Amendments to House Bill No. 55 be concurred in.

That House Bill No. 343 be amended in the title by striking out in line 7 of the original bill, being line 7 of the printed bill, the words "four, or thirty", and inserting in lieu thereof the words "eight, or forty";

Be further amended in Section 1 by deleting in line 6, page 2 of the original bill, being line 30, page 2 of the printed bill, the following "(a)";

Be further amended in Section 1 by deleting in entirety the words and figures in lines 12 through 20 inclusive, page 2 of the original bill, being lines 36 through 44 inclusive, pages 2 and 3 of the printed bill;

Be further amended in Section 1 by adding in line 1, page 4 of the original bill, being line 88, page 4 of the printed bill, after the word "Eight.", the following "(a)", and be further amended in line 2, page 4 of the original bill, being line 89, page 4 of the printed bill, by adding the following as a new paragraph:

"(b) The annual net proceeds of all oil and gas wells, after deducting only the expenses specified and allowed by Section 84-6203; also where the right to enter upon land, to explore or prospect, or dig for oil and gas is reserved in land by any person or corporation, the surface title to which has passed to another, the assessor and the state and county boards of equalization shall determine the value of the right to enter upon said tract of land for the purpose of digging, exploring, or prospecting for oil and gas, and the same shall be placed in this classification for the purpose of taxation.";

And as amended, do pass.

That consideration of House Bill No. 382 be passed for this sitting.

That further consideration of House Bill No. 391 be indefinitely postponed.

That Substitute House Bill No. 139 do pass.

That the Committee rise and report.

JUDGE, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 282 be considered correctly engrossed. Motion carried.

February 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 219 and 309, House Joint Resolution No. 13 and House Joint Memorial No. 16.

HARPER

February 19, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 92.

HARPER

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 411 was passed by the following vote:

Ayes: Asbjornson, Bashor, Beam, Blewett, Broeder, Crum, Deschamps, Dykstra, Etchart, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Thompson, Tooke, Turnage, Watt, Woodard, Mr. Speaker. Total 46.

Noes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Beck, Boughton, Bradford, Brenner, Casey, Cummings, Davis, East, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, Lund, Nutting, O'Hair, Raundal, Reinecke, Schepens, Slaby, Smith, Spilde, Stranahan, Swanz, Tracy, Twedt, Wayrynen, Weeks, Welch, Zimmer. Total 45.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 408 was passed by the following vote:

Ayes: Aasheim, Bailey, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 66.

Noes: Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Boughton, Casey, Davis, East, Etchart, Garrison, Harper, Johnson, Laas, Lewis, Lombardi, Osburnsen, Raundal, Reinecke, Slaby, Smith, Spilde, Twedt, Wayrynen, Zimmer. Total 25.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 344 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, Egan, Etchart, Goan, Good, Haines, Hanks, Haughey, Hawks, Hibbard, Holtz, Jensen, Johnson, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Welch, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: Aasheim, Adams, Bardanouve, Bradford, Brenner, Cummings, East, Falkenstern, Flynn, Garrison, Gill, Harper, Healy, Jenkins, Judge, Laas, Lewis, Lombardi, Nutting, Raundal, Reinecke, Slaby, Spilde, Tracy, Twedt, Wayrynen, Weeks. Total 27.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 413 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Etchart, Falkenstern, Flynn, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: Adams, Bardanouve, Bashor, Boughton, East, Garrison, Gill, Harper, Johnson, Lewis, Lombardi, Nichols, Raundal, Reinecke, Schepens, Slaby, Smith, Twedt. Total 18.

Absent or not voting: Eskildsen, Judge, Schye. Total 3.

Excused: Hemstad, Wright. Total 2.

House Bill No. 403 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Deschamps, Dykstra, Egan, Falkenstern, Goan, Haines, Hanks, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 68.

Noes: Bardanouve, Boughton, Casey, Davis, East, Etchart, Flynn, Garrison, Gill, Good, Harper, Healy, Johnson, Judge, Lombardi, Nutting, Slaby, Smith, Spilde, Tracy, Twedt, Wayrynen, Zimmer. Total 23.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 404 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Deschamps, Dykstra, Falkenstern, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Bardanouve, Casey, Davis, East, Egan, Etchart, Flynn, Garrison, Harper, Johnson, Reinecke, Slaby, Smith, Twedt. Total 14.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 405 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Deschamps, Dykstra, Falkenstern, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Bardanouve, Boughton, Casey, Davis, East, Egan, Etchart, Flynn, Garrison, Johnson, Lombardi, Slaby, Smith, Twedt. Total 14.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 406 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum,

Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Broeder, Garrison, Johnson, Reinecke. Total 4.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 407 was passed by the following vote:

Ayes: Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Broeder, Crum, Cummings, Deschamps, Dykstra, Falkenstern, Goan, Good, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 61.

Noes: Aasheim, Adams, Asbjornson, Bardanouve, Bashor, Boughton, Brenner, Casey, Davis, East, Egan, Etchart, Flynn, Garrison, Gill, Hanks, Harper, Johnson, Laas, Lewis, Nichols, O'Hair, Raundal, Reinecke, Slaby, Smith, Spilde, Twedt, Wayrynen, Zimmer. Total 30.

Absent or not voting. Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 409 was passed by the following vote:

Ayes: Asbjornson, Beam, Blewett, Bradford, Broeder, Crum, Deschamps, Dykstra, Falkenstern, Goan, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Swanz, Thompson, Tooke, Turnage, Watt, Woodard, Mr. Speaker. Total 49.

Noes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beck, Boughton, Brenner, Casey, Cummings, Davis, East, Egan, Etchart, Flynn, Garrison, Gill, Good, Hanks, Harper, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, Nichols, O'Hair, Raundal, Reinecke, Schepens, Slaby, Smith, Spilde, Stranahan, Tracy, Twedt, Wayrynen, Weeks, Welch, Zimmer. Total 42.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 16 was passed by the following vote:

Ayes: Bardanouve, Beam, Blewett, Broeder, Crum, Davis, Deschamps, Dykstra, Falkenstern, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Osburnsen, Pierce, Rehberg, Schye, Selstad, Shelden, Slaby, Spahr, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 52.

Noes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beck, Boughton, Bradford, Brenner, Casey, Cummings, East, Egan, Etchart, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Jenkins, Judge, Lombardi, Nichols, O'Hair, Raundal, Rearden, Regan, Reinecke, Rosell, Schepens, Seymour, Smiley, Smith, Spilde, Stranahan, Tracy. Total 39.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: East, Etchart, Reinecke. Total 3.

Absent or not voting: Eskildsen, Pierce. Total 2.

Excused: Hemstad, Wright. Total 2.

House Joint Resolution No. 16 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Boughton, Broeder, East, Reinecke. Total 4.

Absent or not voting: Eskildsen, Gill, Lundgren, Pierce, Rosell. Total 5.

Excused: Hemstad, Wright. Total 2.

House Bill No. 410 was passed by the following vote:

Ayes: Asbjornson, Bailey, Beam, Blewett, Bradford, Broeder, Crum, Deschamps, Dykstra, Etchart, Goan, Good, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Selstad, Seymour, Shelden, Smiley, Spahr, Swanz, Thompson, Tooke, Turnage, Watt, Welch, Woodard, Zimmer, Mr. Speaker. Total 51.

Noes: Aasheim, Adams, Baldwin, Bardanouve, Bashor, Beck, Boughton, Brenner, Casey, Cummings, Davis, East, Egan, Falkenstern, Flynn, Garrison, Gill, Hanks, Harper, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, Nichols, Nutting, O'Hair, Raundal, Reinecke, Schepens, Schye, Slaby, Smith, Spilde, Stranahan, Tracy, Twedt, Wayrynen, Weeks. Total 40.

Absent or not voting: Eskildsen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 197 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Bardanouve, Beam, Blewett, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Etchart, Falkenstern, Flynn, Gill, Goan, Haines, Hanks, Haughey, Hawks, Hibbard, Holtz, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Tooke, Turnage, Twedt, Watt, Weeks, Woodard, Zimmer, Mr. Speaker. Total 68.

Noes: Baldwin, Bashor, Beck, Boughton, Broeder, Casey, East, Garrison, Good, Harper, Healy, Jenkins, Jensen, Kvaalen, Lombardi, Lundgren, Reinecke, Smiley, Smith, Thompson, Tracy, Wayrynen. Total 22.

Absent or not voting: Eskildsen, Welch. Total 2.

Excused: Hemstad, Wright. Total 2.

House Joint Memorial No. 9 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bashor, Beam, Beck, Blewett, Broeder, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Haines, Haughey, Hibbard, Holtz, Jenkins, Judge, Keller, Kvaalen, Laas, Lewis, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Woodard, Mr. Speaker. Total 52.

Noes: Bailey, Baldwin, Bardanouve, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Egan, Eskildsen, Flynn, Garrison, Gill, Good, Hanks, Harper, Hawks, Healy, Johnson, Leuthold, Lombardi, Mathers, Nutting, O'Hair, Osburnsen, Raundal, Slaby, Smith, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer. Total 36.

Absent or not voting: Goan, Jensen, Pierce, Turnage. Total 4.

Excused: Hemstad, Wright. Total 2.

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Bradford, Brenner, Broeder, East, Healy, Lundgren, Smiley, Thompson, Weeks. Total 9.

Absent or not voting: Jensen, Pierce. Total 2.

Excused: Hemstad, Wright. Total 2.

Substitute House Joint Memorial No. 13 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Good, Haines, Harper, Haughey, Healy, Hibbard, Holtz, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers,

Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranhan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Zimmer, Mr. Speaker. Total 62.

Noes: Aasheim, Bardanouve, Bashor, Brenner, Davis, Egan, Eskildsen, Flynn, Gill, Hanks, Jenkins, Johnson, Judge, Keller, Laas, Lewis, McNamer, Raundal, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch. Total 27.

Absent or not voting: Cummings, Hawks, Jensen. Total 3.

Excused: Hemstad, Wright. Total 2.

House Bill No. 313 was passed by the following vote:

Ayes: Adams, Bardanouve, Bashor, Beam, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Dykstra, Egan, Eskildsen, Flynn, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Murray, Nelson, Nichols, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Seymour, Shelden, Slaby, Spahr, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer. Total 54.

Noes: Asbjornson, Bailey, Baldwin, Beck, Blewett, Boughton, Casey, Deschamps, East, Etchart, Falkenstern, Garrison, Haines, Hawks, Holtz, Jenkins, Keller, Kvaalen, Lucas, Mathers, Nash, Northey, Nutting, Reinecke, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Thompson, Tooke, Weeks, Mr. Speaker. Total 35.

Absent or not voting: Aasheim, Jensen, Rosell. Total 3.

Excused: Hemstad, Wright. Total 2.

House Bill No. 314 was passed by the following vote:

Ayes: Adams, Baldwin, Bardanouve, Beam, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Flynn, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Murray, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Seymour, Shelden, Slaby, Smith, Spahr, Stranahan, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer. Total 60.

Noes: Asbjornson, Bailey, Bashor, Beck, Blewett, Boughton, Casey, Deschamps, Etchart, Falkenstern, Garrison, Haines, Hawks, Holtz, Keller, Kvaalen, Lucas, Mathers, Nash, Northey, Schepens, Schye, Selstad, Smiley, Spilde, Thompson, Tooke, Weeks, Mr. Speaker. Total 29.

Absent or not voting: Aasheim, Jensen, Rosell. Total 3.

Excused: Hemstad, Wright. Total 2.

House Bill No. 335 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Flynn, Gill, Goan, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Shelden, Slaby, Spahr, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Adams, Bashor, Beck, Boughton, Broeder, Casey, Etchart, Falkenstern, Garrison, Holtz, Nutting, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Wayrynen. Total 21.

Absent or not voting: Jensen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 117 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Mr. Speaker. Total 88.

Noes: Harper, Schye, Zimmer. Total 3.

Absent or not voting: Jensen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 255 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Raundal, Wayrynen. Total 2.

Absent or not voting: Jensen, Turnage. Total 2.

Excused: Hemstad, Wright. Total 2.

House Bill No. 104 being a bill calling for a Constitutional Amendment and thereby requiring a two-thirds approval for passage, Blewett requested a Call of the House. There being sufficient seconds, the Speaker ordered roll call and a Call of the House. Progress having been reported, Blewett moved the Call of the House be dispensed with. Motion carried.

House Bill No. 104 failed to pass by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Woodard, Zimmer, Mr. Speaker. Total 58.

Noes: Aasheim, Bashor, Bradford, Brenner, Crum, Cummings, Davis, Egan, Eskildsen, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Keller, Lewis, Lombardi, Nash, O'Hair, Osburnsen, Raundal, Rosell, Schepens, Schye, Shelden, Slaby, Tracy, Twedt, Weeks, Welch. Total 34.

Absent or not voting: None.

Excused: Hemstad, Wright. Total 2.

House Bill No. 340 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Crum, Dykstra, East, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 67.

Noes: Bardanouve, Boughton, Brenner, Casey, Cummings, Davis, Deschamps, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Hanks, Jenkins, Johnson, Nutting, Osburnsen, Raundal, Slaby, Twedt, Watt, Wayrynen. Total 24.

Absent or not voting: Schepens. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 323 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Boughton, Bradford, Brenner, Casey, Etchart, Flynn, Holtz, Keller, Kvaalen, Osburnsen, Schye, Selstad, Seymour, Spahr, Thompson. Total 15.

Absent or not voting: Wayrynen. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 234 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Boughton, Etchart, Hawks, Kvaalen. Total 4.

Absent or not voting: Broeder, Dykstra, Haines, Lucas. Total 4.

Excused: Hemstad, Wright. Total 2.

House Bill No. 227 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Holtz, Jenkins, Jensen, Johnson, Keller, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Adams, Boughton, Haughey, Hibbard, Kvaalen, Lucas, Mathers, McNamer, Smiley, Smith, Spilde, Thompson. Total 12.

Absent or not voting: Dykstra, Judge, Stranahan. Total 3.

Excused: Hemstad, Wright. Total 2.

House Bill No. 355 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 87.

Noes: None.

Absent or not voting: Broeder, Garrison, Kvaalen, O'Hair. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 250 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 87.

Noes: None.

Absent or not voting: Broeder, Garrison, Kvaalen, O'Hair. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 156 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett,

Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Goan, Haines, Hanghey, Hawks, Hibbard, Holtz, Jenkins, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard. Total 56.

Noes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Jensen, Johnson, Judge, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 32.

Absent or not voting: Broeder, Garrison, Kvaalen. Total 3.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 310 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 87.

Noes: None.

Absent or not voting: Broeder, Garrison, Kvaalen, Raundal. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 135 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer. Total 81.

Noes: Boughton, Bradford, Brenner, Spilde, Tooke, Wayrynen. Total 6.

Absent or not voting: Aasheim, Broeder, Goan, Harper. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 296 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby,

Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 82.

Noes: Boughton, East, Jenkins, Jensen, Northey, Nutting, Schye, Swanz. Total 8.

Absent or not voting: Broeder. Total 1.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 396 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 88.

Noes: Tracy. Total 1.

Absent or not voting: Broeder, Gill. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

Substitute House Bill No. 397 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 88.

Noes: Tracy. Total 1.

Absent or not voting: Broeder, Harper. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

Substitute House Bill No. 158 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 89.

Noes: None.

Absent or not voting: Broeder, Jenkins. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

Substitute House Bill No. 214 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 86.

Noes: Kvaalen, Mathers, Spahr. Total 3.

Absent or not voting: Broeder, Osburnsen. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 89.

Noes: None.

Absent or not voting: Broeder, Eskildsen. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Resolution No. 19 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 70.

Noes: Aasheim, Bardanouve, Bradford, Brenner, Davis, Egan, Eskildsen, Flynn, Hanks, Johnson, Lombardi, Shelden, Slaby, Twedt, Watt. Total 15.

Absent or not voting: Broeder, Cummings, Harper, O'Hair, Pierce, Schepens. Total 6.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 85.

Noes: Brenner, Harper, Twedt, Slaby. Total 4.

Absent or not voting: Broeder, O'Hair. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Memorial No. 18 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard. Total 55.

Noes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Regan, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 35.

Absent or not voting: Broeder. Total 1.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Resolution No. 17 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Falkenstern, Garrison, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Weeks, Welch, Woodard. Total 63.

Noes: Bashor, Beck, Boughton, Bradford, East, Etchart, Flynn, Gill, Goan, Good, Hanks, Harper, Healy, Kvaalen, Laas, Lombardi, O'Hair, Osburnsen, Raundal, Slaby, Smith, Twedt, Watt, Zimmer. Total 24.

Absent or not voting: Broeder, Pierce, Rosell, Wayrynen. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 166 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Judge, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce,

Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Woodard. Total 59.

Noes: Adams, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Keller, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Selstad, Shelden, Slaby, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 31.

Absent or not voting: Broeder. Total 1.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 219 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer. Total 86.

Noes: Bardanouve, Bashor, Schye. Total 3.

Absent or not voting: Broeder, Wayrynen. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 309 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer. Total 83.

Noes: Bradford, Brenner, O'Hair, Raundal. Total 4.

Absent or not voting: Broeder, Harper, Shelden, Wayrynen. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Resolution No. 13 was passed by the following vote:

Ayes: Adams, Bailey, Baldwin, Bashor, Beam, Beck, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Rearden, Rehberg, Reinecke, Rosell, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Turnage, Weeks, Woodard, Zimmer. Total 53.

Noes: Aasheim, Asbjornson, Blewett, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Raundal, Regan, Schepens, Schye, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt. Total 32.

Absent or not voting: Bardanouve, Broeder, Pierce, Tooke, Wayrynen, Welch. Total 6.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Joint Memorial No. 16 was passed by the following vote:

Ayes: Adams, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Rearden, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Zimmer. Total 56.

Noes: Aasheim, Asbjornson, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Nutting, O'Hair, Raundal, Regan, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt. Total 32.

Absent or not voting: Broeder, Wayrynen, Welch. Total 3.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 92 was passed by the following vote:

Ayes: Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Crum, Davis, Deschamps, Dykstra, East, Egan, Flynn, Goan, Haines, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Zimmer. Total 65.

Noes: Aasheim, Adams, Asbjornson, Bailey, Boughton, Brenner, Casey, Cummings, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Good, Hanks, Hawks, Lombardi, Lund, Nutting, Smith, Stranahan, Tracy, Twedt, Wayrynen. Total 24.

Absent or not voting: Bashor, Broeder. Total 2.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

House Bill No. 282 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Selmour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 82.

Noes: Bradford, Brenner, Goan, Lombardi, Raundal. Total 5.

Absent or not voting: Broeder, Smiley, Weeks, Woodard. Total 4.

Excused: Hemstad, Wright, Mr. Speaker. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for the day. Motion carried.

February 19, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 7, do hereby report that said resolution, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, was this day, at the hour of 1:40 o'clock p. m. delivered to the Governor for his approval.

MURRAY, Chairman.

Motion was made by Blewett that the House adjourn until 10:00 a. m., Wednesday, February 20, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

FORTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 20, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by Representative Spahr.

On roll call all members were present except Hemstad and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fourth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 170, beg leave to report as follows:

That Senate Bill 170 is an act relating to changing the names of Montana State College to Montana State University, and Montana State University to University of Montana.

That a portion of Senate Bill 17, namely section 3 thereof, is an act relating to the same change in names of said institutions.

That House Bill 37, heretofore considered and rejected by the House, was an act relating to the same change in names of said institutions.

That all of said bills aforesaid are of the same subject matter, or substantially the same subject matter, and designed to accomplish the same purpose, and are, therefore, within the provisions of House Rule 36 which provides in part as follows:

"No bill, memorials or resolutions shall be introduced or re-introduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House."

That for the House to consider Senate Bill 170 and/or section 3 of Senate Bill 17, Rule 36 would have to be suspended in the manner provided by Rule 58, paragraph two thereof, providing as follows:

"Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent."

BLEWETT, Chairman

Report adopted.

Unanimous consent of the House was not given, and pursuant to House Rule 36, Senate Bill No. 170 was returned to the Senate.

Mr. Speaker: We, your Committee on Rules, having had under consideration Substitute Senate Bill No. 171, beg leave to report as follows:

That Substitute Senate Bill 171 is an act entitled "An Act to Prohibit Retail Sale of Certain Merchandise on Sunday, etc."

That House Bill 130, heretofore considered and rejected by the House, was entitled "An Act to Prohibit Retail Sale of Certain Merchandise on Sunday, etc."

That House Bill 70, heretofore considered and rejected by the House, was entitled "An Act to Prohibit Certain Retail Sales on Sunday, etc."

That all of said bills aforesaid are of the same subject matter, or substantially the same subject matter, and designed to accomplish the same purpose, and are, therefore, within the provisions of House Rule 36 which provides in part as follows:

"No bill, memorials or resolutions shall be introduced or reintroduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House."

That for the House to now consider Substitute Senate Bill 171 Rule 36 would have to be suspended in the manner provided by Rule 58, paragraph two thereof, providing as follows:

"Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent."

BLEWETT, Chairman

Report adopted.

Unanimous consent of the House was not given, and pursuant to House Rule 36, Substitute Senate Bill No. 171 was returned to the Senate.

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Joint Resolution No. 16, respectfully report as follows: That Senate Joint Resolution No. 16 be concurred in.

BLEWETT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Substitute House Bill No. 172 be amended as follows:

In section 1, sub-section (13) being lines 14 through 32 of page 3 and lines 1 through 5 of page 4 of the original bill, which are lines 64 through 87 of pages 3 and 4 of the printed bill by striking sub-section (13) in its entirety and inserting in lieu thereof the following:

"(13) "Earnable compensation" shall mean the full rate of the compensation, pay or salary that would be payable to a teacher if he worked the full normal working time except that any compensation in excess of "seven thousand dollars (\$7,000)" per annum, shall not be used for the purpose of this system provided that any teacher who received a salary or compensation in excess of "five thousand seven hundred dollars (\$5,700)" per annum subsequent to "July 1, 1961," may use such salary or that portion of it not in excess of "seven thousand dollars (\$7,000)" as a basis of compensation for the purpose of this system if (a) he contributes five per cent (5%) of the excess of such salary subsequent to "July 1, 1961," over "five thousand seven hundred dollars (\$5,700)" and not exceeding "seven thousand dollars (\$7,000)" to his individual account in the annuity savings fund and (b) he contributes three and one-half per cent (3½%) of the excess of his salary subsequent to "July 1, 1961," over "five thousand seven hundred dollars (\$5,700)" and less than "seven thousand dollars (\$7,000)" to the pension accumulation fund. In cases where compensation includes maintenance, the retirement board shall fix the value of that part of the compensation not paid in money."

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 be amended as follows:

In section 14, page 4, line 17 of the original bill by striking out the following: "sixty thousand dollars (\$60,000.00)" and inserting in lieu thereof the following: "twenty-seven thousand six hundred dollars (\$27,600.00)."

And be further amended in section 14, page 4, in line 18 of the original bill by striking out the following: "five thousand three hundred dollars (\$5,300.00)" and inserting in lieu thereof the following: "two thousand four hundred dollars (\$2,400.00)."

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 do not pass.

HAWKS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 19, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 385 introduced by Dykstra, Haughey.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

Motion was made by Blewett that the House accede to the request of the Senate and return House Bill No. 385 to the Senate. Motion carried.

MESSAGES FROM THE SENATE

Keller, having voted on the prevailing side, moved that the House reconsider its action of the previous day in failing to pass House Bill No. 104 on Third Reading. Motion carried.

Haughey, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 24. After debate, Eskildsen moved the previous question. Motion carried. Motion by Haughey carried.

Motion was made by Haughey that Senate Bill No. 24 be placed on General Orders. Motion carried.

Motion was made by Kvaalen that House Joint Resolution No. 11 be taken from the Committee on Rules and placed on General Orders. After debate, Eskildsen moved the previous question. Motion carried. Motion by Kvaalen failed to carry.

February 20, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 64, 232, 390, 118, 190, 236, 337, 235, 327 and House Joint Memorial No. 10.

SELSTAD

I have examined House Bill No. 64 introduced by me and find the same to be correct.

GOAN

I have examined House Bill No. 390 introduced by me and find the same to be correct.

McNAMER

I have examined House Joint Memorial No. 10 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 190 introduced by me and find the same to be correct.

KELLER

I have examined House Bill No. 232 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 337 introduced by me and find the same to be correct.

JENSEN

I have examined House Bills Nos. 235 and 236 introduced by me and find the same to be correct.

REHBERG

I have examined House Bill No. 327 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 118 introduced by me and find the same to be correct.

BEAM

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 118, 236, 327, 235, 337, 64, 390, House Joint Memorial No. 10, and House Bills Nos. 190 and 232.

February 20, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 22, Substitute House Bill No. 196 and House Bill No. 343.

HARPER

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 104 being a bill calling for a Constitutional Amendment and thereby requiring a two-thirds approval for passage, Blewett requested a Call of the House. There being sufficient seconds, the Speaker ordered roll call and a Call of the House. Progress having been reported, Blewett moved the Call of the House be dispensed with. Motion carried.

House Bill No. 104 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Reinecke, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Woodard, Mr. Speaker. Total 65.

Noes: Aasheim, Bardanouve, Bashor, Boughton, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Harper, Johnson, Judge, Lewis, O'Hair, Osburnsen, Raundal, Rosell, Schepens, Shelden, Slaby, Twedt, Welch, Zimmer. Total 26.

Absent or not voting: Rehberg. Total 1.

Excused: Hemstad, Wright. Total 2.

House Bill No. 104, introduced by Blewett, Lucas, Murray, Stranahan, McNamer, Bardanouve, Haughey: A bill for an act entitled: "An act to submit to the electors of the State of Montana an amendment to the Constitution of Montana relating to the selection of Supreme Court Justices; creating a judicial nominating commission and providing for the appointment of Supreme Court Justices by the Governor from lists of nominees submitted by the Judicial Nominating Commission; amending sections 34 and 35, article VIII of the Constitution; and repealing sections 6, 7 and 8, article VIII of the Constitution."

Be in enacted by the Legislative Assembly of the State of Montana:

Section 1. A new section of article VIII of the Constitution of the State of Montana to be designated Section 6 is enacted to read as follows:

"Section 6. There is hereby created a judicial nominating commission. The commission shall be composed of not less than three nor more than eight appointive members, and an equal number of elective members. All members of the commission shall be electors of the state. The appointive members shall be appointed by the Governor subject to confirmation by the Senate. The elective members shall be elected by the resident members of the bar of the state. The Justice of the Supreme

Court who is senior in length of service on the Supreme Court, other than the Chief Justice, shall also be a member of the commission and shall be its chairman. Due consideration shall be given to area representation in the appointment and election of Judicial Nominating Commission members. Appointive and elective members of the Commission shall serve for six year terms, shall be ineligible for a successive second six year term, shall hold no office of profit of the United States or of the State during their terms, shall be chosen without reference to political affiliation, and shall have such other qualifications as may be prescribed by law. As near as may be, the terms of one-third of such members shall expire every two years."

Section 2. A new section of article VIII of the Constitution of the State of Montana to be designated Section 7 is enacted to read as follows:

"Section 7. Vacancies in the Supreme Court shall be filled by appointment by the Governor from lists of nominees submitted by the Judicial Nominating Commission. Three nominees shall be submitted for each Supreme Court vacancy."

Section 3. A new section of article VIII of the Constitution of the State of Montana to be designated Section 8 is enacted to read as follows:

"Section 8. Terms of Supreme Court Justices shall be not less than eight years. A Supreme Court Justice appointed to the court shall serve until the first day of January following the first general election after the expiration of the year in which he was appointed. A Supreme Court Justice shall, at the first general election following the expiration of the year in which he is appointed, stand for retention in office on a separate ballot which shall submit to the people the question of whether he shall be retained in office for the tenure prescribed for such office. When the tenure prescribed is a term of years, a Justice may, at the general election next before the end of each term, stand again for retention on such ballot. Present Supreme Court Justices, at the expiration of their respective terms, may be retained in office in like manner for the tenure prescribed for such office."

Section 4. Section 34, article VIII of the Constitution of the State of Montana is amended to read as follows:

"Sec. 34. Vacancies in the office of Judge of the District Court, or Clerk of the Supreme Court, shall be filled by appointment, by the Governor of the State, and vacancies in the offices of county attorney, clerk of the District Court, and justices of the peace, shall be filled by appointment, by the board of county commissioners of the county where such vacancy occurs. A person appointed to fill any such vacancy shall hold his office until the next general election and until his successor is elected and qualified. A person elected to fill a vacancy shall hold office until the expiration of the term for which the person he succeeds was elected."

Section 5. Section 35, article VIII of the Constitution of the State of Montana is amended to read as follows:

"Sec. 35. No Justice of the Supreme Court or District Judge shall hold any other public office, "except membership on the Judicial Nominating Commission," while he remains in the office to which he has been elected or appointed."

Section 6. Sections 6, 7 and 8, article VIII of the Constitution of the State of Montana are repealed.

Section 7. When this amendment is submitted to the electors of the State of Montana there shall be printed on the ballot the title and sections 1 through 6 of this act and the following words:

☐ For the above amendment

☐ Against the above amendment"

Senate amendments to House Bill No. 55 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Garrison, Rehberg. Total 2.

Excused: Hemstad, Wright. Total 2.

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Blewett, Brenner, Haughey, Kvaalen, McNamer, Murray. Total 6.

Absent or not voting: Spilde. Total 1.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 196 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Gill. Total 1.

Absent or not voting: None.

Excused: Hemstad, Wright. Total 2.

House Bill No. 343 was passed by the following vote:

Ayes: Asbjornson, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Crum, Deschamps, Dykstra, Etchart, Garrison, Goan, Good, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Pierce, Rearden, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Mr. Speaker. Total 55.

Noes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bradford, Brenner, Casey, Cummings, Davis, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Hanks, Harper, Healy, Johnson, Judge, Laas, Lombardi, Nutting, O'Hair, Osburnsen, Raundal, Reinecke, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 37.

Absent or not voting: None.

Excused: Hemstad, Wright. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Shelden of Lincoln in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 163 be amended in Section 8 in line 3, page 5 of the original bill, being line 11, page 5 of the printed bill, by deleting the period (.) after the word "assembly", inserting in lieu thereof a "comma (,)" and adding the following words: "provided, however, such legislative consent shall not be required in relation to the acquisition, erection, equipment, enlargement or improvement of revenue-producing facilities at any unit of the University of Montana which are controlled and managed by the regents of the University.;"

Be further amended in line 21, page 6 of the original bill, being line 1, page 7 of the printed bill, by deleting after the word "Section" the figure "13" and inserting in lieu thereof the figure "12";

And as amended, do pass.

That consideration of House Bill No. 382 be indefinitely postponed.

That House Joint Memorial No. 17 do pass.

That further consideration of House Bill No. 165 be indefinitely postponed.

That Substitute House Bill No. 172 do pass.

That the Committee rise and report.

SHELDEN, Chairman

Motion was made by Shelden for the adoption of the Committee report.

Substitute motion was made by Wayrynen that House Bill No. 163 be segregated from the Committee of the Whole report. Substitute motion failed to carry.

Original motion by Shelden carried. Report adopted.

February 20, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Substitute House Bill No. 139.

HARPER

Motion was made by Blewett that the House recess until 2.00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 20, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 163, Substitute House Bill No. 172 and House Joint Memorial No. 17.

HARPER

Mr. Speaker: We, your Committee on Rules, having had under consideration House Joint Resolution No. 11, beg leave to report and recommend as follows:

House Joint Resolution No. 11, as originally introduced, endorsed the President's program of tax relief, so as to provide additional purchasing power, whereas amendments proposed by the Committee on Ways and Means have to do with reduction in national spending and suggesting that industry have sufficient reserves to re-invest in plant expansion and capital outlay to provide jobs for an expanded labor force, which amendments, among others, fall within the prohibition of rule 48, providing as follows:

"No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House. This rule shall not be suspended."

and accordingly, House Joint Resolution No. 11, with the attached amendments, should not be considered by the House.

BLEWETT, Chairman

Motion was made by Blewett for adoption of the committee report.

Substitute motion was made by Crum that House Joint Resolution No. 11 be placed on General Orders. After debate, Thompson moved the previous question. Motion carried. Substitute motion by Crum failed to carry.

Original motion by Blewett carried. Report adopted.

MESSAGES FROM THE SENATE

February 20, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day appointed a Conference Committee of three to confer with a previously appointed like Committee from the House, on Senate Amendments to House Bill No. 81.

Senator Carney

Senator Dussault

Senator Ullom

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Blewett requested that an extension of three days from the present day be granted the Committee on Rules for submitting a report on Senate Bills Nos. 204 and 190. The extension was granted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 417, introduced by Crum, Nash, Bashor, Healy: A bill for an act entitled: "An Act to Appropriate Money for the Purchase of the John W. Beauchamp Murals of Montana History."

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 163 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstead, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 65.

Noes: Aasheim, Bardanouve, Bradford, Davis, Egan, Gill, Good, Hanks, Harper, Johnson, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Wayrynen, Zimmer. Total 23.

Absent or not voting: Brenner, Lucas, Lund, Murray. Total 4.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 172 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Egan, Falkenstern, Smiley. Total 3.

Absent or not voting: Aasheim, Murray. Total 2.

Excused: Hemstad, Wright. Total 2.

House Joint Memorial No. 17 failed to pass by the following vote:

Ayes: Aasheim, Bailey, Bardanoue, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Eskildsen, Etchart, Falkenstern, Gill, Hanks, Harper, Holtz, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lundgren, Nelson, O'Hair, Pierce, Raundal, Rearden, Regan, Reinecke, Schepens, Selstad, Seymour, Shelden, Stranahan, Watt, Weeks, Zimmer. Total 40.

Noes: Adams, Asbjornson, Baldwin, Beck, Boughton, Casey, Davis, Deschamps, Dykstra, East, Egan, Flynn, Garrison, Good, Haines, Haughey, Hawks, Healy, Hibbard, Jenkins, Jensen, Johnson, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nichols, Northey, Nutting Osburnsen, Rehberg, Rosell, Schye, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Welch, Woodard, Mr. Speaker. Total 49.

Absent or not voting: Goan, Kvaalen, Wayrynen. Total 3.

Excused: Hemstad, Wright. Total 2.

Substitute House Bill No. 139 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Welch, Woodard, Zimmer. Mr. Speaker. Total 80.

Noes: Boughton, Brenner, Cummings, Egan, Harper, Lombardi, O'Hair, Schepens, Tooke, Wayrynen, Weeks. Total 11.

Absent or not voting: Rosell. Total 1.

Excused: Hemstad, Wright. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Shelden of Lincoln in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Substitute for Senate Bill No. 109 be amended in Section 3 by striking out in line 24, page 4 of the original bill, being line 36, page 5 of the printed bill, following the word "the" the words "trust fund" and inserting in lieu thereof the words "State of Montana";

Be further amended in Section 6 by striking out in line 17, page 8 of the original bill, being line 56, page 10 of the printed bill, and in line

27, page 7 of the original bill, being line 36, page 9 of the printed bill, the word "year" and inserting in lieu thereof the words "three years";

Be further amended in Section 6 by inserting as a separate paragraph after line 22, page 8 of the original bill, being line 63, page 10 of the printed bill, the following:

"Class 1A—two hundred sixty-five per centum (265%) of the base rental";

Be further amended in Section 6 by deleting in line 23, page 8 of the original bill, being line 64, page 10 of the printed bill, the number and letter "1A" and inserting in lieu thereof the number and letter "1B";

Be further amended in Section 6 by deleting in line 24, page 8 of the original bill, being line 66, page 10 of the printed bill, the number and letter "1B" and inserting in lieu thereof the number and letter "2A";

Be further amended in Section 6 by deleting in line 25, page 8 of the original bill, being line 68, page 10 of the printed bill, the number and letter "2A" and inserting in lieu thereof the number and letter "2B";

Be further amended in Section 6 by deleting in line 27, page 8 of the original bill, being line 70, page 10 of the printed bill, the number and letter "2B" and inserting in lieu thereof the number "3";

Be further amended in Section 6 by deleting in line 1, page 9 of the original bill, being line 72, page 10 of the printed bill, the number "3" and inserting in lieu thereof the number "4";

Be further amended in Section 6 by deleting in line 2, page 9 of the original bill, being line 74, page 10 of the printed bill, the number "4" and inserting in lieu thereof the number "5";

Be further amended in Section 6 by deleting in line 3, page 9 of the original bill, being lines 76 and 76a, page 10 of the printed bill, the following "Class 5—one hundred per centum (100%) of the base rental; and";

And as amended, do pass.

That Senate Bill No. 54 be concurred in.

That Senate Bill No. 36 be amended in Section 1 by deleting in line 21, page 1 of the original bill, being line 8, page 1 of the printed bill, after the word "Divide", the period (.) and inserting in lieu thereof the words and punctuation ", and only in areas which are not open to the hunting of elk.";

Be further amended in Section 1 in line 1, page 2 of the original bill, being line 17, page 2 of the printed bill, by deleting the word "will" and inserting in lieu thereof the word "shall", and in line 2, page 2 of the original bill, being line 17, page 2 of the printed bill, by inserting after the words "published in", the words "at least four (4) issues of" and inserting after the word "and" and before the word "radio" the word "by", and in line 3, page 2 of the original bill, being line 18, page 2 of the printed bill by deleting after the word "least" the word and figure "ten (10)" and inserting in lieu thereof the word and figure "thirty (30)";

Be further amended in Section 1 by inserting in line 16, page 2 of the original bill, being line 29, page 2 of the printed bill, after the words "which such license was issued." the following words: "All monies received from the sale of special non-resident antelope and deer licenses as provided herein shall be deposited to the state public school equalization fund.";

And as amended, be concurred in.

That the Committee rise and report.

SHELDEN, Chairman

Report adopted.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Thursday, February 21, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 21, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by Representative Blewett.

On roll call all members were present except Hemstad, Nutting and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fifth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 20, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 64, 118, 190, 232, 235, 236, 327, 337, 390 and House Joint Memorial No. 10, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:40 o'clock p.m., delivered to the Governor for his approval.

MURRAY, Chairman

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Resolution No. 14, respectfully report as follows: That Senate Joint Resolution No. 14 be not concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Resolution No. 12, respectfully report as follows: That Senate Joint Resolution No. 12 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Substitute for House Bill No. 26, respectfully report as follows: That Senate Substitute for House Bill No. 26 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be not concurred in.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 be amended as follows:

Amend page 4, Section 5, subsection (1), line 23 of the original bill, being page 4, Section 5, subsection (1), line 4 of the printed bill, after the word "accountants," by adding the words and punctuation "public accountants."

And as amended, be concurred in.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be concurred in.

DYKSTRA, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 20, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 43 introduced by Nichols, et al

House Bill No. 277 introduced by Lund, Stranahan, Wright

I am further directed to inform you that the following House Bill was this day recommended for non-concurrence by a Majority Committee report on Public Health, Welfare and Safety, report adopted, and the same is herewith returned to the House:

House Bill No. 73 introduced by Pierce, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 20, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 109, introduced by Nichols, Asbjornson, Adams

House Bill No. 211, introduced by Dykstra, Broeder

House Bill No. 225, introduced by Blewett, Murray, Bardanouve, Eskildsen

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Crum that Senate Bill No. 36 be taken from Third Reading and placed on General Orders. Motion carried.

THIRD READING OF SENATE BILLS

Motion was made by Blewett that Third Reading of Senate Bills be passed for this sitting. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Turnage of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That the enacting clause be stricken from Senate Bill No. 53.

That Senate Bill No. 76 be concurred in.

That further consideration of Senate Bill No. 77 be placed at the bottom of the calendar.

That Senate Bill No. 104 be concurred in.

That Senate Bill No. 105 be concurred in.

That consideration of Senate Bill No. 132 be passed for the day.

That Substitute Senate Bill No. 9 be concurred in.

That Senate Bill No. 160 be concurred in.

That Senate Bill No. 88 be concurred in.

That Senate Joint Resolution No. 8 be concurred in.

That Senate Bill No. 126 be concurred in.

That consideration of Senate Bill No. 162 be placed at the bottom of the calendar.

That further consideration of Senate Bill No. 161 be passed for the day.

That Senate Joint Memorial No. 7 be concurred in.

That Senate Amendments to House Bill No. 22 be concurred in.

That consideration of Senate Amendments to House Bill No. 141 be passed for the day.

That Senate Bill No. 54 be concurred in.

That Senate Joint Resolution No. 16 be concurred in.

That Senate Bill No. 112 be concurred in.

That further consideration of Senate Bill No. 36 be passed for the day.

That consideration of Senate Bill No. 77 be passed for the day.

That consideration of Senate Bill No. 162 be passed for the day.

TURNAGE, Chairman

Report adopted.

February 21, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Substitute for Senate Bill No. 109.

HARPER

Motion was made by Haughey that the House adjourn until 9:30 a.m., Friday, February 22, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 22, 1963

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Murray, Nash and Wright, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-sixth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 151, respectfully report as follows: That Senate Bill No. 151 be concurred in.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We your Committee on Agriculture and Irrigation, having had under consideration Senate Joint Memorial No. 3, respectfully report as follows: That Senate Joint Memorial No. 3 be amended as follows:

Amend by striking lines 1 and 2, page 3 of the original bill "4. That the acreage allowed in a single holding shall not be greater than 640 acres" and insert in lieu thereof the following: "4. That the acreage allowed in a single holding may be determined by the Bureau of Reclamation."

And, as amended, be concurred in.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be not concurred in.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker. We, your Committee on Education, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate bill No. 62 be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be not concurred in.

KVAALEN, Chairman

Motion was made by Kvaalen for adoption of the committee report.

Substitute motion was made by Twedt that Senate Bill No. 43 be placed on General Orders. Thompson requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Mathers, O'Hair, Osburnsen, Raundal, Rearden, Schepens, Shelden, Slaby, Stranahan, Tooke, Tracy, Twedt, Watt, Wayrynen, Welch. Total 37.

Noes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lund, Lundgren, McNamer, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Turnage, Weeks, Woodard, Zimmer. Total 53.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Murray, Nash, Wright. Total 3.

Original motion by Kvaalen carried. Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be not concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be concurred in.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be concurred in.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 209, respectfully report as follows: That Senate Bill No. 209 be not concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 15, respectfully report as follows: That Senate Joint Resolution No. 15 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Memorial No. 5, respectfully report as follows: That Senate Joint Memorial No. 5 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Memorial No. 9, respectfully report as follows: That Senate Joint Memorial No. 9 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Memorial No. 6, respectfully report as follows: That Senate Joint Memorial No. 6 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be not concurred in.

DYKSTRA, Chairman

Motion was made by Dykstra for adoption of the committee report.

Substitute motion was made by Raundal that Senate Bill No. 194 be placed on General Orders. Harper requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose.

After debate, Healy moved the previous question. Motion carried. Roll Call vote was taken, and the substitute motion by Raundal failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Boughton, Bradford, Brenner, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Flynn, Garrison, Gill, Harper, Healy, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, Lund, O'Hair, Osburnsen, Rearden, Schepens, Shelden, Slaby, Tooke, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 38.

Noes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Broeder, Casey, Crum, Dykstra, Etchart, Falkenstern, Goan, Good, Haines, Hanks, Haughey, Hemstad, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Turnage, Weeks, Woodard, Mr. Speaker. Total 52.

Paired: Raundal, aye; Murray, no.

Absent or not voting: Hawks. Total 1.

Excused: Wright. Total 1.

Original motion by Dykstra carried. Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be amended as follows:

Amend in line 3, page 2 of the original bill, being Section 2, line 5, page 2 of the printed bill, following the word "into" by inserting the following words and numbers "two (2) or more" in lieu of the deleted material "five (5) or more"

And as so amended, be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 10, respectfully report as follows: That Senate Joint Resolution No. 10 be concurred in.

ETCHART, Vice-Chairman

Report adopted.

February 22, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 297, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MESSAGES FROM THE SENATE

February 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by

the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 244 introduced by Committee on Ways and Means

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 20, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 66, introduced by McNamer, Hawks, Stranahan, Adams

House Bill No. 93, introduced by Keller, Leuthold, Beam

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 60, introduced by Lucas, Selstad, McNamer

House Bill No. 164, introduced by Johnson, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the following House Bill failed to be concurred on third reading:

House Bill No. 157, introduced by Weeks, Schye

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 21, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 8, introduced by Murray, Haughey

House Bill No. 19, introduced by Lucas, Selstad, McNamer

House Bill No. 45, introduced by Blewett, et al

House Bill No. 150, introduced by Lucas

House Bill No. 175, introduced by Lucas, et al

House Bill No. 195, introduced by Committee on Highways

House Bill No. 224, introduced by Beam, Wayrynen

House Bill No. 259, introduced by Mathers

House Bill No. 261, introduced by Lucas, Dykstra

House Bill No. 348, introduced by Zimmer, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Beck, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 55. Motion carried.

Regan, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 194.

Substitute motion was made by Haughey that the motion by Regan that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 194 be laid on the table. Substitute motion carried.

Aasheim, having voted on the prevailing side, moved that the House reconsider its action in adopting the Committee of the Whole report of the previous day. Motion carried.

Motion was made by Blewett that Senate Bill No. 53 be segregated from the Committee of the Whole report of the previous day and that it be placed on General Orders. Motion carried.

Motion was made by Blewett that the Committee of the Whole report of the previous day be adopted as amended. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Gill. Total 1.

Absent or not voting: Boughton. Total 1.

Excused: Bashor, Murray, Wright. Total 3.

House Substitute for Senate Bill No. 109 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer. Total 83.

Noes: Bardanoue, Beck, Garrison, Hawks, Mr. Speaker. Total 5.

Paired: Twedt, aye, Wright, no; Nutting, aye, Boughton, no.

Absent or not voting: None.

Excused: Bashor, Murray. Total 2.

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Beam, Beck, Blewett, Bradford, Broeder, Casey, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Welch, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Boughton, Crum, Eskildsen, Garrison, Goan, Haughey, Keller, Kvaalen, Lucas, Mathers, Nash, Selstad, Smiley, Smith, Spilde, Thompson, Wayrynen, Weeks. Total 18.

Absent or not voting: Brenner, Cummings, Rosell. Total 3.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 75.

Noes: Broeder, Crum, Deschamps, Eskildsen, Goan, Haines, Keller, Laas, Nichols, Northey, Raundal, Selstad, Seymour, Smiley, Thompson. Total 15.

Absent or not voting: Rosell. Total 1.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Bardanoue, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Dykstra,

East, Egan, Etchart, Falkenstern, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Baldwin, Broeder, Crum, Deschamps, Eskildsen, Flynn, Goan, Haines, Keller, Laas, Nichols, Northey, Raundal, Selstad, Seymour, Smiley, Turnage. Total 17.

Absent or not voting: None.

Excused: Bashor, Murray, Wright. Total 3.

Substitute Senate Bill No. 9 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Eskildsen. Total 1.

Absent or not voting: Haines, Raundal. Total 2.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 160 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Haughey, Keller, Selstad. Total 3.

Absent or not voting: None.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley,

Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Cummings, Eskildsen, Hanks, Johnson, Keller, Laas, Raundal, Wayrynen. Total 8.

Absent or not voting: None.

Excused: Bashor, Murray, Wright. Total 3.

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Goan, Pierce. Total 2.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Bradford, Deschamps, Haines, Northey. Total 4.

Absent or not voting: None.

Excused: Bashor, Murray, Wright. Total 3.

Senate Joint Memorial No. 7 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Keller. Total 1.

Absent or not voting: Goan, Pierce. Total 2.

Excused: Bashor, Murray, Wright. Total 3.

Senate Amendments to House Bill No. 22 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Mr. Speaker. Total 85.

Noes: Harper, O'Hair, Zimmer. Total 3.

Absent or not voting: Broeder, Nash, Woodard. Total 3.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 24, requiring a two-thirds vote for passage, was not concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Blewett, Boughton, Bradford, Broeder, Casey, Davis, Deschamps, Dykstra, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Hanks, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, McNamer, Nelson, Northey, Nutting, Pierce, Rearden, Reinecke, Schye, Selstad, Seymour, Smiley, Spahr, Swanz, Tooke, Twedt, Watt, Wayrynen, Weeks, Mr. Speaker. Total 52.

Noes: Adams, Baldwin, Beam, Beck, Brenner, Crum, Cummings, East, Egan, Etchart, Goan, Good, Haines, Harper, Healy, Johnson, Laas, Lewis, Mathers, Nash, Nichols, O'Hair, Osburnsen, Raundal, Rehberg, Rosell, Schepens, Shelden, Slaby, Smith, Spilde, Stranahan, Thompson, Tracy, Turnage, Welch, Woodard, Zimmer. Total 38.

Absent or not voting: Regan. Total 1.

Excused: Bashor, Murray, Wright. Total 3.

Senate Joint Resolution No. 16 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Boughton, Etchart, Goan, Keller, Kvaalen, Shelden. Total 6.

Absent or not voting: Pierce, Smith, Tooke, Weeks. Total 4.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn,

Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Mr. Speaker. Total 82.

Noes: Bradford, Brenner, Harper, Lombardi, O'Hair, Shelden, Tracy, Zimmer. Total 8.

Absent or not voting: Tooke. Total 1.

Excused: Bashor, Murray, Wright. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 132 be passed for the day.

That Senate Bill No. 161 be indefinitely postponed.

That Senate Amendments to House Bill No. 141 be concurred in.

That Senate Bill No. 36 be amended in Section 1 in line 21, page 1 of the original bill, being lines 7 and 8 of the printed bill, by deleting the words "lying east of the Continental Divide, and only in areas";

Be further amended in Section 1 by striking out in line 16, page 2 of the original bill, being line 29, page 2 of the printed bill, after the words "which such license was issued.", the following words: "All monies received from the sale of special nonresident antelope and deer licenses as provided herein shall be deposited to the state public school equalization fund.";

And as amended, be concurred in.

That Senate Bill No. 77 be concurred in.

That Senate Bill No. 162 be concurred in.

That Senate Bill No. 60 be amended in the title by striking out in line 8 of the original bill, being line 5 of the printed bill, the word and figures "Section 75-1813" and inserting in lieu thereof the word and figures "Sections 75-1805 and 75-1813";

Be further amended in Section 1 by striking out in line 21, page 1 of the original bill, being line 7, page 1 of the printed bill, the word and figures "Section 75-1813" and inserting in lieu thereof the word and figures "Sections 75--1805 and 75-1813";

And as amended, be concurred in.

That the Committee rise and report.

CRUM, Chairman

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 22, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 225, 211 and 109.

SELSTAD

February 21, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 55, 233, 213, 402 and 316.

SELSTAD

I have examined House Bill No. 225 introduced by me and find the same to be correct.

BLEWETT

I have examined House Bill No. 109 introduced by me and find the same to be correct.

NICHOLS

I have examined House Bill No. 211 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 402 introduced by me and find the same to be correct.

ADAMS

I have examined House Bill No. 316 introduced by me and find the same to be correct.

REINECKE

I have examined House Bill No. 233 introduced by me and find the same to be correct.

LUCAS

I have examined House Bill No. 213 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 55 introduced by me and find the same to be correct.

TURNAGE

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do not pass, but that

Substitute House Bill No. 416, a bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the biennium ending June 30, 1965."

Do pass.

Report adopted.

HAWKS, Chairman

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 166, respectfully report as follows: That Senate Bill No. 166 be not concurred in.

ETCHART, Vice-Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 21, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

- House Bill No. 64—Introduced by Goan & Haughey.
- House Bill No. 118—Introduced by Beam et al.
- House Bill No. 190—Introduced by Keller et al.
- House Bill No. 232—Introduced by Dykstra.
- House Bill No. 235—Introduced by Rehberg.
- House Bill No. 236—Introduced by Rehberg & Lucas.
- House Bill No. 327—Introduced by Committee on Agriculture.
- House Bill No. 337—Introduced by Jensen et al.
- House Bill No. 390—Introduced by McNamer.

Sincerely,
TIM BABCOCK
Governor

February 21, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

- House Bill No. 126—Introduced by Gill.
- House Bill No. 162—Introduced by Zimmer.
- House Bill No. 185—Introduced by Committee on Affairs of Cities.
- House Bill No. 186—Introduced by Committee on Affairs of Cities.
- House Bill No. 240—Introduced by Nutting et al.
- House Bill No. 291—Introduced by Wayrynen et al.
- House Bill No. 318—Introduced by Selstad.
- House Joint Resolution No. 7—Introduced by Harper, et al.

Sincerely,
TIM BABCOCK
Governor

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 225, 109, 211, 402, 316, 233, 213 and 55.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that Senate Bill No. 60 be taken from Third Reading and placed on General Orders. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 6

Introduced by Lucas, Mathers, Tracy, Rosell, Nash, Tooke, Wayrynen, Rehberg, Bardanouve.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA COMMENDING THE EXCELLENT PERFORMANCE OF THE PAGES OF THE THIRTY-EIGHTH MONTANA LEGISLATIVE SESSION.

Motion was made by Mathers for adoption of the Resolution. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO 7

Introduced by McNamer.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE LEGISLATIVE COUNCIL PREPARE AN INDEX OF BILLS INTRODUCED IN THE MONTANA LEGISLATIVE ASSEMBLY.

Motion was made by McNamer for adoption of the Resolution. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 141 were concurred in by the following vote:

Ayes: Adams, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Mr. Speaker. Total 78.

Noes: Zimmer. Total 1.

Absent or not voting: Aasheim, Asbjornson, Bardanouve, Boughton, Haines, Hawks, Hemstad, Holtz, Laas, Lewis, Schye, Stranahan. Total 12.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Adams, Bailey, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Mr. Speaker. Total 79.

Noes: Baldwin, Zimmer. Total 2.

Absent or not voting: Aasheim, Asbjornson, Bardanouve, Boughton, Hawks, Hemstad, Laas, Lewis, Schye, Stranahan. Total 10.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Adams, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lombardi, Lund, Lundgren, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Seymour, Shelden, Slaby, Spahr, Spilde, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 67.

Noes: Garrison, Goan, Haughey, Keller, Kvaalen, Lucas, Mathers, Nash, Selstad, Smiley, Smith, Swanz, Thompson, Wayrynen. Total 14.

Absent or not voting: Aasheim, Asbjornson, Bardanouve, Boughton, Hawks, Hemstad, Laas, Lewis, Schye, Stranahan. Total 10.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 162 was concurred in by the following vote:

Ayes: Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 68.

Noes: Adams, Cummings, Eskildsen, Goan, Haines, Harper, Lund, Nutting, Osburnsen, Raundal, Smith, Wayrynen. Total 12.

Absent or not voting: Aasheim, Asbjornson, Bardanouve, Boughton, Hawks, Hemstad, Laas, Lewis, Schepens, Schye, Stranahan. Total 11.

Excused: Bashor, Murray, Wright. Total 3.

Senate Bill No. 162, introduced by Dussault: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to Section 29 of Article VIII of the Constitution of the State of Montana relating to the salary of the justices of the supreme court and the judges of the district courts and providing for the quarterly payment thereof by the state of such salary and providing that such salary shall not be diminished during the terms for which such justices and judges shall have been respectively elected.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 29 of Article VIII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana, at the general election to be held in November of the year 1964.

Section 2. That Section 29 of Article VIII of the Constitution of the State of Montana be and it is hereby amended to read as follows:

"Section 29. The justices of the supreme court and the judges of the district courts shall each be paid quarterly by the state, a salary, which shall not be [increased or] diminished during the terms for which they shall have been respectively elected. [Until otherwise provided by law, the salary of the justices of the supreme court shall be four thousand dollars per annum each, and the salary of the judges of the district courts shall be three thousand five hundred dollars per annum each.]

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon the official ballot as provided by Chapter 11 of Title 23 of the Revised Codes of Montana, 1947, as amended and there shall be printed on such ballots the title of this act and the following words:

☐ For the above Amendment.

☐ Against the above Amendment."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 60 be amended in the title in line 8 of the original bill, being line 5 of the printed bill, by striking out the word and figures "Sections 75-1805 and 75-1813" and inserting in lieu thereof the word and figures "Section 75-1813";

Be further amended in Section 1, in line 21, page 1 of the original bill, being line 7, page 1 of the printed bill, by striking the word and figures "Sections 75-1805 and 75-1813" and inserting in lieu thereof the word and figures "Section 75-1813";

And as amended, be concurred in.

That Senate Bill No. 122 be concurred in.

That consideration of Senate Bill No. 115 be passed for the day.

That Senate Joint Resolution No. 12 be concurred in.

That Senate Bill No. 6 be concurred in.

That Senate Substitute for House Bill No. 26 be concurred in.

That Senate Bill No. 18 be concurred in.

That further consideration of Senate Bill No. 99 be indefinitely postponed.

That the committee rise and report.

Report adopted.

CRUM, Chairman

Motion was made by Blewett that the House adjourn until 9:00 a.m., Saturday, February 23, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 23, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bashor and Welch, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-seventh Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker, We, your Committee on Judiciary, having had under consideration Senate Bill No. 152, respectfully report as follows: That Senate Bill No. 152 be not concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 31, respectfully report as follows: That Senate Bill No. 31 be not concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Joint Resolution No. 13, respectfully report as follows: That Senate Joint Resolution No. 13 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 208, respectfully report as follows: That Senate Bill No. 208 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 156, respectfully report as follows: That Senate Bill No. 156 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Education, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be amended as follows:

1. Amend Section 1, in line 25, page 2 of the original bill, being line 17, page 2 and line 18, page 3 of the printed bill, by deleting the words "state public school equalization fund" and inserting in lieu thereof the words "moneys available for state equalization aid".

2. Further amend Section 1 by deleting in entirety the words and figures in lines 9 through 30, page 3, and lines 1 through 27, page 4 of the original bill, being lines 33 through 75, pages 3, 4 and 5 of the printed bill, and inserting in lieu thereof the following:

"(1) For each elementary school having an ANB of nine (9) or fewer pupils, the maximum shall be fifty-two hundred thirty-six dollars (\$5,236.00), if said school is approved as an isolated school; if said school is not approved as an isolated school, then the maximum shall be twenty-six hundred eighteen dollars (\$2,618.00)."

"(2) For schools with an ANB of ten (10) pupils, but less than eighteen (18) pupils, the maximum shall be fifty-two hundred thirty-six dollars (\$5,236.00) plus one hundred fifty-four dollars (\$154.00) per pupil on the basis of the average number belonging over nine (9)."

"(3) For school with an ANB of eighteen (18) pupils and employing one teacher, the maximum shall be sixty-six hundred twenty dollars (\$6,620.00) plus sixty-one dollars and fifty cents (\$61.50) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB over twenty-five (25)."

"(4) For schools with an ANB of eighteen (18) pupils and employing two fulltime teachers, the maximum shall be eleven thousand nine hundred thirty-two dollars (\$11,932.00) plus sixty-one dollars and fifty cents (\$61.50) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB over fifty (50)."

"(5) For schools having an ANB in excess of forty (40) the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

"For a school having an ANB of more than forty (40), and employing a minimum of three (3) teachers, the maximum of four hundred twenty dollars (\$420.00) shall be decreased at the rate of thirty-eight cents (\$0.38) for each additional pupil until the total number ANB shall have reached a total of one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, the maximum of three hundred ninety-seven dollars (\$397.00) shall be decreased at the rate of thirty-eight cents (\$0.38) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum shall not exceed three hundred twenty-one dollars (\$321.00) for each pupil; provided that the maximum per pupil for all pupils, ANB, shall figure on the basis of the amount allowed herein on account of the last eligible pupil, ANB, and provided further that all schools operated within the incorporated limits of a city or town shall be treated as a school unit for the purpose of this schedule."

"The maximum per pupil for all pupils (ANB) and for all schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB."

3. Further amend Section 1 by deleting in entirety the words and figures in lines 28, 29 and 30, page 4 and lines 1 through 5, page 5 of the original bill, being lines 76 through 82, page 5 of the printed bill, and inserting in lieu thereof the following:

“On or before January 1 of odd-numbered years, the state superintendent of public instruction shall transmit to the Legislative Assembly of the State of Montana a revised schedule for elementary schools in accordance with classifications by size as set forth in this section. This revised schedule will be based on the median general fund budgeted expenditures for the current year, by ascertaining the median of the general fund budgets for each classification of elementary schools, and the total number of pupils (ANB) for all schools in each classification, and by computing the revised schedule therefrom.”

“4. Amend Section 5 in line 30, page 11 and line 1, page 12 of the original bill, being lines 3 and 4, page 11 of the printed bill, by deleting the words “coming into said state public school equalization fund” and inserting in lieu thereof the following words “available for state equalization aid”.

5. Further amend Section 5 by adding the following paragraph at the end of that section, following line 19, page 15 of the original bill, being line 98, page 14 of the printed bill:

“On or before June 1, of each year if the requirements of the several school districts of the state for state equalization aid shall exceed the moneys available, as soon as such facts shall have been ascertained, the state superintendent of public instruction shall certify to each county superintendent the percentage reduction in the foundation programs of elementary and secondary schools from seventy-five per cent (75%) of the applicable schedules as set forth in Sections 75-1713.1 and 75-4518.1, R.C.M. 1947.”

6. Amend Section 6, in lines 24 and 25, page 15 of the original bill, being line 5, page 15 of the printed bill, by deleting the words “from the state public school equalization fund” and inserting in lieu thereof the following words “of state equalization aid”.

7. Further amend Section 6, in lines 3 and 4, page 16 of the original bill, being lines 12 and 13, page 15 of the printed bill, by deleting the words “from the permanent school fund of the state, from other constitutional sources, if any,” and inserting in lieu thereof the following: “of interest and income moneys”.

8. Further amend Section 6 by deleting in line 4, page 16 of the original bill, the words “and from” and by deleting in lines 6 and 7, page 16 the words “the basic county levies provided for by this act”, all of which words are found in lines 15 and 16, page 15 of the printed bill, and by inserting in lieu thereof the following: “and from all other regular sources of revenue required to be used to finance the foundation program as provided in section 75-3706 and 75-4516.1”.

9. Further amend Section 6, in lines 17, 18 and 19, page 16 of the original bill, being lines 22, 23 and 24, page 15 of the printed bill, by deleting the following words and punctuation: “, acting as the public school equalization board,” (with no substitution of words) and also deleting the words “funds from the state public school equalization fund” and substituting therefor the following “state equalization aid”.

10. Amend Section 7 by striking out lines 28 through 30, page 16 of the original bill and lines 1 through 24, page 17 of the original bill, being lines 3 through 25, page 16 of the printed bill, and inserting in lieu thereof the following:

“75-3617. Before any elementary school having an ANB of [eight (8)] “nine (9)” or less may be approved as an isolated school, and before any high school having an ANB of twenty-four (24) or less may be approved

as an isolated high school, the board of trustees of the district wherein said school is located shall, on or before the first day of May in each year, make written application to the budget board for such approval. Such application shall be acted upon on or before the fifteenth day of June, and such application shall be granted if [said budget board shall find and determine that] transportation of the pupils of such school to another school is impractical by reason of the existence of obstacles to travel, such as mountains, rivers, poor roads, distance of the pupils' homes from county roads or highways, or the distance of such isolated school from the nearest open school having room and facilities for the pupils of such isolated school[; and an elementary school may also] "or other conditions resulting in unusual hardship to the pupils, such school shall" be approved as an isolated school upon a finding and determination by said budget board, approved by the county superintendent of schools and by the state [superintendent of public instruction of the existence of conditions other than obstacles to travel which would result in unusual hardship to the pupils of such isolated school if they were transported to another school;] "board of education," and if none of the above-mentioned circumstances exist, such application shall be denied."

11. Amend Section 8 by striking out all of lines 27 through 30, page 17 of the original bill, and all of lines 1 through 24, page 18 of the original bill, being lines 3 through 26, pages 16 and 17 of the printed bill, and inserting in lieu thereof the following:

"75-3618. Distribution of money available to districts—formula for apportionment of county funds. After the deduction of transportation reimbursements provided by law, the proceeds of the [basic] county [ten (10) mill common school] levy "for common schools as provided for in section 75-3706," and the proceeds of the [basic] county [ten (10) mill] special tax for high schools "as provided for in section 75-4516.1," shall each be separately distributed by the county superintendent to the respective districts in the county, and the county high school if there be one, in proportion to their needs under the foundation financial program. In all cases in which the proceeds of such [basic] county levy [and the five (5) mill tax for elementary schools provided for in section 75-1723,] when added to [all other funds] "interest and income moneys" available to the respective districts [from the permanent school fund,] and other funds which must be used in support of the foundation financial program are insufficient to finance the foundation financial program, the proceeds of the [basic] county common school levy and the proceeds of the [basic] county special tax for high schools shall [each] be separately distributed in accordance with the following procedure; provided, however, that cash balances to the credit of the district at the end of the school year, after authorized reserves have been subtracted as well as outstanding warrants, shall be used by the district to reduce the levies on the district for the general fund after [the uniform district levy and] county and state equalization aid have been received:"

12. Amend Section 9 in lines 1 and 2, page 20 of the original bill, being line 5, page 18 of the printed bill, by deleting the words "payment from the state public school equalization fund" and inserting in lieu thereof the following: "state equalization aid".

13. Further amend Section 9 in line 5, page 20 of the original bill, being line 8, page 19 of the printed bill, by striking the words "in said equalization fund".

14. Further amend Section 9, subsection (1), in line 13, page 20 of the original bill, being line 14, page 19 of the printed bill, by deleting the words "in the equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

15. Further amend Section 9, subsection (2), in lines 17 and 18, page 20 of the original bill, being line 18, page 19 of the printed bill, by deleting the words "from the equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

16. Further amend Section 9, subsection (4), in line 29, page 20 of the original bill, being line 27, page 19 of the printed bill, by deleting the words "from the equalization fund" and inserting in lieu thereof the words "for state equalization aid".

17. Further amend Section 9, subsection (4), in lines 2 and 3, page 21 of the original bill, being line 30, page 19 of the printed bill, by deleting the words "from the equalization fund" and inserting in lieu thereof the words "for state equalization aid".

18. Further amend Section 9, in lines 14 and 15, page 21 of the original bill, being lines 41 and 42, page 20 of the printed bill, by deleting the words "public school equalization fund" and inserting in lieu thereof the words "for state equalization aid".

19. Further amend Section 9, in lines 19 and 20, page 21 of the original bill, being line 46, page 20 of the printed bill, by deleting the words "public school equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

20. Amend Section 10 by deleting all of lines 25 through 30, page 21 of the original bill, and all of lines 1 through 23, page 22 of the original bill, being all of lines 3 through 26, pages 20 and 21 of the printed bill, and inserting in lieu thereof the following:

"75-3706. Common school levy [In addition to the provisions for the support of the common schools, hereinbefore provided, it shall be the duty of the county commissioners of each county in the state to levy an annual tax of ten (10) mills on the dollar of the taxable value of all taxable property within the county, which levy shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, which tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected; provided that if a levy of less than ten (10) mills should be sufficient to meet the total of the approved budgets of all school districts within the county, then such lesser levy shall be made, but no school district within a county levying less than ten (10) mills shall receive any apportionment from the state public school equalization fund.] "On or before the first day of August in each year, the state board of equalization, after consultation with the state superintendent of public instruction, shall compute and determine the sum of money which, when added to the interest and income moneys and state equalization aid, shall provide seventy-five per cent (75%) of the applicable schedules for all elementary schools as set forth in Section 75-1713.1, and the board shall also compute and determine the number of mills of a tax (herein called the basic common school tax) on the taxable value of all taxable property within all the counties of the state which is calculated to produce the aforesaid sum of money."

"If a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets of all school districts within one or more counties, the state board of equalization shall re-compute the basic common school tax to be levied in the remaining counties, excluding in the computations the amount of the foundation programs in the county or counties requiring a lesser levy and the share of interest and income moneys to be distributed to such county or counties, thus determining as the adjusted basic common school tax the number of mills required to produce the sum of money which, when added to all the moneys available for the state equalization aid and to the shares of interest and income moneys to be distributed to all school districts except those which as hereinafter provided are not entitled to apportionment of state equalization aid, shall equal the total of the foundation programs of all elementary school districts except those not entitled to apportionment of state equalization aid. In no event shall the adjusted basic common school tax in either year of the biennium from July 1, 1963 to June 30, 1965 exceed twenty-five (25) mills."

In addition to the provisions for the support of the common schools hereinbefore provided, it shall be the duty of the board of county commissioners of each county in the state to levy on the taxable valuation of all taxable property in the county the number of mills determined by the board of equalization as the adjusted basic common school tax, except that the board in any county in which a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets from all school districts within the county shall levy such lesser number of mills.

"The levy in each county shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, and the tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected."

"No county levying less than the adjusted basic common school levy shall receive any state equalization aid."

21. Amend Section 11, by deleting all of lines 6 through 19, page 23 of the original bill, being lines 5 through 15, pages 21 and 22 of the printed bill, and inserting in lieu thereof the following:

"1. To receive and hold all school moneys and to keep a separate account of their disbursements to the several school districts which shall be entitled to receive them according to the apportionment of the county superintendent. A separate account shall be maintained for each fund supported by a county-wide levy for a specific, authorized purpose, including (1) the county ten mill levy for elementary schools "as provided in section 75-3706," (2) the county ten mill levy for high schools "as provided in section 75-4516.1," (3) the county levy for high school transportation as provided in section 75-3414, and (4) the county levy for the high school retirement systems as provided in sections 68-603 and 75-2709.

22. Amend Section 13 by deleting all of lines 15 through 22, page 29 of the original bill, being lines 53 through 59, page 27 of the printed bill, and inserting in lieu thereof the following:

The total of the transfer budget shall be subtracted from the receipts from the county [ten (10)] mill levy for high schools "as provided for in section 75-4516.1" before the remainder of such receipts is distributed to the high schools of the county. Such total of the transfer budgets shall be held in a transfer fund separate and apart from other school funds and shall be allocated by the county treasurer upon instructions from the county superintendent."

23. Further amend Section 13, in lines 7, 8 and 9, page 30 of the original bill, being lines 72 and 73, page 28 of the printed bill, by deleting the words "be reimbursed from the state public school equalization fund at the rate of" and inserting in lieu thereof the words "receive from moneys available for state equalization aid".

24. Further amend Section 13, in line 11, page 30 of the original bill, being line 75, page 28 of the printed bill, by inserting between the words "of" and "state" the word "regular".

25. Amend Section 14, by striking out all of lines 28 through 30, page 30 of the original bill, and all of pages 31 and 32 of the original bill, and lines 1 through 7, page 33 of the original bill, being all of lines 3 through 60, pages 28, 29 and 30 of the printed bill, and inserting in lieu thereof the following:

["75-4516.1. Levy of taxes. It shall be the duty of the county commissioners of each county in the state to levy an annual special tax for high schools of ten (10) mills on the dollar of the taxable value of all taxable property within the county, which levy shall be made at the time and in the manner provided by law for the levying of taxes for county purposes and which tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected;

provided that if a levy of less than ten (10) mills should be sufficient to meet the total of the approved budgets of all school districts within the county, then such lesser levy shall be made, but no high school within a county levying less than ten (10) mills for high school purposes shall receive any apportionment from the state public school equalization fund.]

"75-4516.1. Levy of taxes. "High school levy. On or before the first day of August in each year, the state board of equalization, after consultation with the state superintendent of public instruction, shall compute and determine the sum of money which when added to the moneys available for state equalization aid shall provide seventy-five per cent (75%) of the maximum high school budgets for all high schools as set forth in sections 75-4518.1 and 75-3612, and the board shall also compute and determine the number of mills of a tax (herein called the basic high school tax) on the taxable value of all taxable property within all the counties of the state which is calculated to produce the aforesaid sum of money."

"If a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets of all school districts within one or more counties, the state board of equalization shall recompute the basic high school tax to be levied in the remaining counties, excluding in the computations the amount of the foundation programs in the county or counties requiring a lesser levy, thus determining as the adjusted basic high school tax the number of mills required to produce the sum of money which, when added to all the moneys available for state equalization aid to be distributed to all school districts except those which as hereinafter provided are not entitled to apportionment of state equalization aid, shall equal the total of the foundation programs of all high school districts except those not entitled to apportionment of state equalization aid. In no event shall the adjusted basic high school tax in either year of the biennium from July 1, 1963 to June 30, 1965 exceed fifteen (15) mills.

"In addition to the provisions for the support of the high schools hereinbefore provided, it shall be the duty of the board of county commissioners of each county in the state to levy on the taxable valuation of all taxable property in the county the number of mills determined by the board of equalization as the adjusted basic high school tax, except that the board in any county in which a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets from all school districts within the county shall levy such lesser number of mills.

"The levy in each county shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, and the tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected.

"No county levying less than the adjusted basic high school levy shall receive any apportionment of state equalization aid."

If the revenues for the operation and maintenance of any high school, including the amount apportionable from said [ten (10) mill] "above mentioned" special tax for high schools, shall be less than the foundation program of such high school and the approved additions thereto included in its budget, within the limitations hereinbefore specified, it shall be the further duty of the board of county commissioners to fix and levy a tax, in such number of mills as will produce the amount shown by the final budget to be raised by tax levy plus federal reimbursements in lieu of taxes, which tax shall, in the case of a county high school not located within a building district, be levied upon all property in the county, excepting the property of any district supporting a district high school, and shall, in the case of a county high school located within a high school building district, be levied upon all property in such building district and which tax shall, in the case of a district high school not located

within a building district, be levied upon all property within the school district, and shall, in the case of a district high school located within a building district, be levied upon all property in such building district, provided, however, that such last mentioned additional tax shall not, in any event, [exceed ten (10) mills unless the excess above said ten mill limitation shall first have been authorized at an election held in accordance with the general school laws pertaining to the voting of additional levies, save and except that in any district wherein more than ten (10) mills is required to reach the permissive percentage limits, as set out in section 75-4518.1, above the foundation program, such increase above the ten (10) mill limit may be financed by federal reimbursements in lieu of taxes without a vote of the taxpayers up to the above mentioned percentage limits above the foundation program.] "be used to raise funds in excess of the maximum budgets as specified in section 75-4518.1 when considered with all other sources of revenue, unless approved by a vote of the taxpaying electors."

26. Amend Section 15, in line 26, page 33 of the original bill, being line 16, page 31 of the printed bill, by inserting between the words "amounts" and "to" the words "of state equalization aid".

27. Further amend Section 15, in line 27, page 33 of the original bill, being lines 17 and 18, page 31 of the printed bill, by striking the words "from the state public school equalization fund".

28. Further amend Section 15 in lines 20 through 30, page 34 of the original bill, and lines 1 through 27, page 35 of the original bill, being lines 36 through 68 inclusive, pages 32 and 33 of the printed bill, by deleting all lines in their entirety and inserting in lieu thereof the following:

"(1) For each high school having an ANB of twenty-four (24) or fewer pupils, the maximum shall be twenty-three thousand three hundred dollars (\$23,300.00)."

"(2) For a secondary school having an ANB of more than twenty-four (24) pupils, the maximum nine hundred seventy-one dollars (\$971.00) shall be decreased at the rate of six dollars and forty-five cents (\$6.45) for each additional pupil until the ANB shall have reached a total of forty (40) such pupils. For a school having an ANB of more than forty (40) pupils, the maximum of eight hundred sixty-eight dollars (\$868.00) shall be decreased at the rate of three dollars and eighty-eight cents (\$3.88) for each additional pupil until the ANB shall have reached one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, a maximum of six hundred thirty-five dollars (\$635.00) shall be decreased at the rate of one dollar and fifty-six cents (\$1.56) for each additional pupil until the ANB shall have reached two hundred (200) pupils. For a school having an ANB of more than two hundred (200) pupils, the maximum of four hundred seventy-nine dollars (\$479.00) shall be decreased by fifty-six cents (\$0.56) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum of four hundred twenty-three dollars (\$423.00) shall be decreased at the rate of six cents (\$0.06) until the ANB shall have reached six hundred (600) pupils. Schools having an ANB in excess of six hundred (600) pupils shall receive four hundred five dollars (\$405.00) per pupil."

"The maximum per pupil for all pupils (ANB) and for all schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB."

"In computing the amount for the foundation program and the maximum program only junior high schools which have been approved and accredited by the state board of education shall be considered a part of the secondary enrollment."

29. Further amend Section 15 by deleting all of lines 28 through 30, page 35 of the original bill and lines 1 through 5, page 36 of the original bill, being all of lines 69 through 75, page 33 of the printed bill, and inserting in lieu thereof the following:

"On or before January 1 of odd-numbered years, the state superintendent of public instruction shall transmit to the Legislative Assembly of the State of Montana a revised schedule for secondary schools in accordance with classifications by size as set forth in this section. This revised schedule will be based on the median general fund budgeted expenditures for the current year, by ascertaining the median of the general fund budgets for each classification of secondary schools, and the total number of pupils (ANB) for all schools in each classification, and by computing the revised schedule therefrom."

And as so amended, be concurred in.

KVAALLEN, Chairman
HAUGHEY
SEYMOUR
BEAM
ROSELL
NORTHEY
LEUTHOLD
SMILEY
LUND
SPAHR

Motion was made by Kvaalen for adoption of the Majority committee report.

Mr. Speaker: We, the Minority of your Committee on Education, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

AASHEIM
WATT
DAVIS
HANKS
BRENNER

Substitute motion was made by Aasheim for adoption of the Minority committee report. Substitute motion failed to carry.

Original motion by Kvaalen carried. Majority committee report adopted.

Motion was made by Blewett that the House be on a Special Order of Business for the purpose of hearing the report by the Necrology Committee. Motion carried.

SPECIAL ORDER OF BUSINESS

The following report of the Necrology Committee was presented to the House with appropriate ceremonies:

IN MEMORIAM 1963

"As for man, his days are like grass; he flourishes like a flower of the field; for the wind passes over it and it is gone, and its place knows it no more. But the steadfast love of the Lord is from everlasting to everlasting."

Psalms 103:15-17

"I will lift up my eyes to the hills. From whence does my help come? My help comes from the Lord who made heaven and earth. The Lord

is your keeper; the Lord is your shade on your right hand. The sun shall not smite you by day, nor the moon by night. The Lord will keep your going out and your coming in from this time forth and forevermore."

Psalms 121:1-2, 5-6, 8

"O death, where is thy victory?
O death, where is thy sting?
Thanks be to God, who gives us the victory
through our Lord Jesus Christ."

1 Corinthians 15:55, 57

We pause to remember and honor those who have served here, and now have finished their earthly work.

As we honor these persons, we do not gloss over the fact that each was human and made mistakes.

Still, we pay humble and grateful tribute to men who struggled with the temptations and problems which we face, and yet contributed something of lasting value to the rich heritage of responsible government by free men.

"O, may I join the choir invisible
Of those immortal dead who live again
In minds made better by their presence; live
In pulses stirred to generosity,
In deeds of daring rectitude, in scorn
For miserable aims that end with self,
In thoughts sublime that pierce the night like stars,
And with their mild persistence urge man's search
To vaster issues."

(George Eliot, 1819-1880)

(Chaplain William E. Burkhardt)

O Thou, from Whom we come, to Whom we go, the beginning and end of our lives. We praise Thee for all these who have walked this trail ahead of us and left us a heritage of responsible citizenship. Grant that having known them we may stand taller and walk straighter . . . and so honor them with our lives as well as our lips. Amen.

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the State of Montana of the Thirty-eighth Legislative Assembly record the passing of the distinguished former members of this body;

WHEREAS, it is fitting and proper that the outstanding records and accomplishments of the late Representatives be placed on record in this Assembly, and the following facts relative to their careers are hereby noted:

ALBURN S. AINSWORTH

Alburn S. Ainsworth was born at Fort Dodge, Iowa, on January 21, 1879. He was graduated from the University of Iowa in 1901. In 1902 he married Mabel C. Near in Webster City, Iowa, and moved to Thompson Falls in 1905 to open a law practice. As an early day attorney, he assisted in the formation of Sanders County from Missoula County. He served as a Representative from Sanders County during the 1925 session.

Representative Ainsworth made an outstanding record during his career. He served twenty-four years as a member of the Board of Trustees of School District No. 2; was instrumental in the construction of Thompson Falls High School and the high school athletic field was named for him. He served four terms as mayor of Thompson Falls, and

was the publisher and owner of the Sanders County Independent. As an attorney for the town of Thompson Falls, he served a number of years without remuneration. He was a 50-year Mason and a chartered member of the Thompson Falls Lodge.

Mr. Ainsworth passed away in Missoula on October 24, 1961. Survivors include the widow, Mabel, of Thompson Falls; a son, Addis, of Missoula; a granddaughter, Mrs. Ann Behan, of Ketchikan, Alaska; a grandson, Richard Ainsworth, of Missoula; and two great grandchildren. One son preceded him in death.

RALPH J. ANDERSON

Ralph J. Anderson was born in Illinois in 1889. He was graduated from the University of Colorado Law School in 1912 and practiced law in Lewistown, Montana, until elected to the Supreme Court in 1932 where he served until 1939. In 1929 he argued four cases before the State Supreme Court in one day and went on to win three of the four cases. For many years he was chief of the legal department for the Board of Equalization.

Representative Anderson served one term in the House from Fergus County in the 1914 session. He was appointed deputy Fergus County attorney in 1917, interrupting that service to enlist in the aviation section of the Signal Corps. He was appointed Lewistown city attorney in 1929, serving two years. His wife, Loretta, preceded him in death in Helena on January 1, 1959.

Mr. Anderson died in Helena on August 8, 1962.

LARS ANGVICK

Lars Angvick was born at Appleton, Wisconsin, October 3, 1880. He came to Montana in 1918 and settled on a farm southeast of Reserve. He married Beatrice Wincentzen, October 21, 1919. Mrs. Angvick died in 1945.

Representative Angvick served in the House from Sheridan County in the 1929 Session, and in the Senate for seven sessions. During his long tenure, he was a champion of aid for the struggling farmer of the depression of the 1930's and the accompanying dust bowl era. He sponsored memorials asking federal farm aid in the form of a domestic allotment, or refinancing of farm mortgages, and sponsored a bill to create a milk board.

Mr. Angvick was called the "Father of Soil Conservation". When the Montana soil conservation district law was enacted in 1939, Angvick's farm became the first in Montana planned for conservation and was the nucleus for the formation of the Reserve Soil Conservation District. This district was the first in Montana and now encompasses the whole of Sheridan County.

Mr. Angvick died October 2, 1962, at Bellingham, Washington. Surviving are two sons, John of Bellingham, Washington, and Edward at the home farm; three daughters, Mrs. Cora Morris of Marshall, Arkansas, Mrs. Lucille Fredericks of Antelope and Mrs. Hazel Hughes of Bellingham, Washington; two sisters; a brother; and twenty-five grandchildren.

STEVE C. ARNOLD

Steve C. Arnold was born March 29, 1884 in Moundridge, Kansas. He received a bachelor's degree from McPherson College in Kansas and a master's degree and a doctorate in pharmacy from Valpariso University in Indiana. He was a registered pharmacist.

Mr. Arnold came to Montana in 1915 and purchased a ranch in Stillwater County, where he lived until 1950. His only son, Benjamin, now operates this ranch.

Mr. Arnold was elected to the House of Representatives from Stillwater County in 1927, 1929 and 1931. In 1932 he was the Republican lieutenant-governor nominee. He served in the Senate from 1935 to 1949 and acted briefly as governor while he was Senate President Pro Tem.

At one time he was a delegate to the Republican National Convention from Kansas and was chairman of the Montana delegation to the convention in 1948. Mr. Arnold was appointed Secretary of State by Governor Hugo Aronson on June 29, 1953. He was a member of the Lutheran Evangelical Church, Masonic Order and was a Shriner.

Steve C. Arnold died March 21, 1961 and was buried at Columbus, Montana with the Masonic Lodge of Rapelje conducting the graveside services.

He is survived by his wife, the former Laura Witt now of Billings, his son, and two granddaughters, Susan and Gail Arnold.

ARTHUR J. BREITENSTEIN

Arthur J. Breitenstein was born at Fort Madison, Iowa, on November 7, 1877. After his education in the schools of Burlington, Iowa, he lived in Chicago and St. Paul and moved to Missoula, Montana, in 1900. He was married to Margaret Gillies in Missoula in 1902. Mrs. Breitenstein died in 1951.

Mr. Breitenstein was with the superintendent's office of the Northern Pacific Railroad in Missoula, managed a store, served as secretary of the Missoula Chamber of Commerce, managed the Montana State Fair in the early years of the century, was secretary of the old Great Falls Commercial Club, second manager of the Hotel Rainbow, organized the Montana Automobile Association and was lauded for having pioneered in the development of Montana highways. He served as secretary-treasurer of the Montana Hotel Association, manager for state War Bond sales, and was secretary of the Great Falls Chamber of Commerce.

Representative Breitenstein served in the 23rd Session in 1933 and a special session of the State Legislature in 1934. He represented Hill County and was Chairman of the Highway Committee in the House.

Mr. Breitenstein died June 14, 1962. Survivors include a son, Dixon, of Plains, and two daughters, Mrs. Margery Misfeldt of Butte, and Mrs. Elinor Parks of Seattle, Washington.

EARL E. CLARK

Representative Earl E. Clark was born in Moscow, Idaho, on October 23, 1894. He lived in Roundup, Montana, for 40 years.

Mr. Clark served in the Montana House in 1947, 1949, 1951 and 1955, representing Musselshell County. He was elected to the Senate in 1956. Mr. Clark was a cattle rancher. He served as president, vice-president, and a director of the Central Montana PCA.

Survivors are his widow, Dorothy; two daughters; three sisters; and a brother.

DAN H. CORCORAN

Dan H. Corcoran was born April 8, 1883, at Oak Grove, Wisconsin. After graduation from the Southern Minnesota Normal College at Austin, he came to Montana in 1909. In 1910 he married Nellie Warren at Havre and moved to Lewistown. In 1931 he purchased a ranch at Ryegate.

During his career he served as sheriff in Fergus County and as a federal liquor investigator. He represented Golden Valley County in the Montana Legislature from 1947 to 1955.

Mr. Corcoran died April 19, 1962, in a Wheatland County hospital. Survivors include a daughter, Geraldine of Ryegate; four sons, Byron and Eugene of Ryegate, Dan Jr. of Harlowton, and John H. of Long Beach, California; brothers, John of Great Falls and Byron of Prescott, Wisconsin; six grandchildren and four great grandchildren.

HERBERT G. DUNBAR

Herbert Dunbar was reputed to be among the first white children born at Gallatin City, now known as Trident. He attended one of the first classes at Montana State College at Bozeman.

He spent most of his life in the Three Forks area. He was a rancher and farmer and also had some mining interests. He was past president of the Sons and Daughters of Montana Pioneers and a member of the Three Forks Masonic Lodge and the Bagdad Temple of the Shrine in Butte.

Mr. Dunbar represented Gallatin County in the 1921 Session of the Montana Legislature.

Representative Dunbar died in Bozeman, Montana, November 16, 1962. He is survived by a son and a daughter, both of Three Forks.

ZALES N. ECTON

Zales N. Ecton was born near Weldon, Iowa, April 1, 1898, the son of Mr. and Mrs. Aaton Smith Ecton. At eight years of age he came to Belgrade, Montana, with his parents and later moved to a ranch near Bozeman. He attended Montana State College and the University of Chicago. Mr. Ecton was a veteran of World War I. In 1920 he was married to Vera Harris of Bozeman. The couple lived at the Ecton ranch near Manhattan until 1953 when they moved to Bozeman.

Mr. Ecton's affiliations included the American Legion, Farm Bureau, Montana Stockgrowers Association, Bozeman Chamber of Commerce and the Montana Republican Club.

Mr. Ecton served as Gallatin County Representative in the Montana Legislature from 1933 to 1937, and as a Senator from 1937 through 1946. He was elected United States Senator in 1946 and served one term.

Mr. Ecton died March 3, 1961. Survivors include his widow, Vera; a son, Zales N. Ecton, Jr., of Manhattan; a daughter, Mrs. George (Eloise) Moe of Seattle, Washington; and five grandchildren.

LOUIS W. GOFFENA

Louis W. Goffena was born in Versailles, Ohio, in 1883. He came to Montana as a youth, working near Billings. In 1905 he was married in Ohio and the young couple lived in Nebraska and Idaho before settling on a homestead near Roundup, Montana. His ranch holdings grew into the Goffena Ranch and Livestock Company.

Mr. Goffena was a bank director, a member of the Memorial Hospital Board, and was active in the Dead Man's Basin Water Conservation Program. He was a member of the Woolgrowers and Cattlemen's Association and a member of the Advisory Board of the Bureau of Land Management. He served in the 1945 and 1953 Sessions of the Montana Legislature representing Musselshell County.

Mr. Goffena died in April, 1962, at Roundup. Survivors include a daughter, Mrs. Dean Godfrey; six sons, Wilbur, Paul, Louis, Robert, Wesley and Jerome, all of Musselshell County; and a sister in Ohio.

HERBERT H. HAIGHT

Herbert H. Haight was born September 2, 1882, at Aurelia, Iowa. He worked on his parents' farm until he was 21 and then completed his elementary and high school education. After graduating from Colorado College in 1911, he came to Montana and homesteaded near Lewistown. He was married to Mable Chamberlain there in 1914. They added considerably to their ranch holdings and took an active part in community, county and state affairs.

Mr. Haight was elected to the Montana Legislature from Fergus County in 1930 and served eight years in the House of Representatives and twelve years in the Senate. He also held office as school board trustee and justice of the peace. He was a member of the Masonic, Shrine and Eagles Lodges and the Presbyterian Church in Lewistown.

Mr. Haight died June 24, 1961, in Great Falls. Survivors include his widow, Mable; daughters, Mrs. Grace Peterson of Corvallis, and Mrs. Mrs. Katherine Day of Denver, Colorado; a son, Neil of Suffolk; four grandchildren and six brothers.

JAMES HARBERT

James Harbert was born at Nashville, Tennessee, December 11, 1868. When he was three years old the family moved to Bayfield, Wisconsin, where he attended elementary school. Later he went to school at St. Paul, Minnesota, attended the Academy at Lake Forest, Illinois and McAllister College.

In 1893 he married Ella Dorsey of St. Paul, Minnesota, and a few years later they moved to Kalispell where he owned and operated the Fair Store for 12 years. In 1912 they moved to Polson where he managed the Harbert Mercantile.

Mr. Harbert served as mayor of Kalispell and Polson, and was state representative from Flathead County. He also served 20 years as Clerk of Court in Lake County. He was instrumental in getting the creamery and the first hospital at Polson and influencing the Northern Pacific Railway to build the Flathead Valley branch line. He made several trips to Washington, D. C., on behalf of the Flathead Irrigation Project. Mr. Harbert served in the 1909 and 1917 sessions of the Montana Legislature from Flathead County.

Mr. Harbert died at the age of 93 at Kalispell, October 13, 1962. Survivors are a daughter, Dorris, of Polson; three nieces and a nephew.

CLIFFORD FILMORE HOLT

Clifford Filmore Holt was born in Brookings County, South Dakota, in 1884. In 1909 he married Sara Thompson at Canton, South Dakota. He was a graduate of St. Paul College of Law, and entered law practice in Great Falls in 1913. He served in the Montana House of Representatives in 1917 and 1925 from Cascade County. He served as Speaker Pro tempore in the latter session. Other services in his career included county attorney, district judge, and his nomination by Governor Sam C. Ford to head a state commission to study juvenile delinquency and to make recommendations to the State Legislature.

Mr. Holt was re-elected continuously to the district judgeship following his initial election in 1936 until his retirement January 1, 1960. In 1956, the veteran jurist was elected president of the Montana Judges Association. Judge and Mrs. Holt observed their golden wedding anniversary in 1959.

Mr. Holt died June 17, 1962, in Tacoma, Washington. His survivors include his widow, Sara; daughter, Mrs. George (Margaret) Harsh of

Minneapolis; sons, Byron, of Spokane and Clifford, Jr., of Tacoma; and four grandchildren.

WILLIAM C. HOWARD

William C. Howard was born at Rimer, Virginia, April 19, 1890. He came to Wibaux in 1910. After working on the Bert Parson ranch, he took up a homestead near Wibaux and farmed until 1922. He was married to Osanah Z. Joubert at Wibaux, December 21, 1913.

In 1922, Mr. Howard was elected Wibaux County Assessor and served 24 years. He was elected two terms to the Montana House of Representatives from Wibaux County, 1947 and 1949. Mr. Howard was serving as county commissioner at the time of his death. His business career included auctioneering, real estate, insurance and he was a partner in the Rainbow Club.

Mr. Howard died November 13, 1962, at Glendive. Survivors include his widow, Osanah; sons, Lt. Col. Orland Howard of Hamilton AFB, California, and Roland of Wibaux; daughters, Mrs. Naoma McNair of Los Angeles, California; Mrs. Lynette Potts of Alvin, Texas, Mrs. Elaine Helvick of Wibaux and Mrs. Audrey Eastwold of Spokane, Washington; eighteen grandchildren and one great grandchild; two brothers and one sister.

MILO JENNINGS

Milo Jennings spent most of his life farming and ranching in the Opheim area. In the 1930's he was one of the first men employed to work on Fort Peck Dam where he served as foreman and later as U. S. Deputy Marshal. He returned to grain buying and was widely known throughout Northeastern Montana as an auctioneer. He represented Valley County in the Montana House of Representatives in 1947.

Mr. Jennings died at Opheim on April 15, 1962. He is survived by his widow, Dixie; a son, Dixie; and two daughters, Mrs. Art Lawrence of Opheim, and Mrs. Cap Cyzeski of Glasgow. Other survivors are four brothers.

DOUGLAS WALTER JOHNSON

Douglas Walter Johnson was born at Ada, Minnesota, in March 1908. He was graduated from Sidney High School in 1920 and attended Coyne Electrical School in Chicago, Illinois. He married Myrtle Meyer in Wahpeton, North Dakota, in 1930 and moved to Van Nuys, California, where he worked for Lockheed Aircraft as a department manager.

The Johnsons returned to Sidney in 1948 and farmed with a brother, Harry, in the Girard community. He was a representative from Richland County in the House in 1956 through 1958. He served as president of Trinity Lutheran Church in Sidney, president of Richland County Farmers Union, a member of the board of directors of Montana Council of Co-operatives, manager for Frontier Finance Corporation, secretary of Girard Farmers Union and a past president of the Farmers Union Oil Company board of directors.

Mr. Johnson died at his home, north of Sidney, September 8, 1962. He is survived by his widow, Myrtle; two sons, Douglas, Jr., and Dale; two daughters, Mrs. De Vere Steinley and Cheryl; his parents, Mr. and Mrs. J. B. Johnson of Sidney; a brother, Harry of Sidney; and one grandchild.

THEODORE JOHNSON

Theodore Johnson was born at Westby, Wisconsin, September 30, 1884, and attended schools and business college there. He came to Montana in

1909, taking up a homestead in the Lindsay area where he farmed for fifty years. On September 26, 1917, he was married to Ella Birkland at Billings.

Mr. Johnson served in the Montana Legislature as a representative from Dawson County in 1935 and 1937 and was a State Senator from that county in 1951. He was former chairman of the Dawson County Democratic Central Committee and was its congressional committeeman at the time of his death.

Mr. Johnson died at Glendive on April 23, 1961. Survivors, in addition to his widow, Ella, are two daughters, Mrs. J. Ross Pringle of Greensboro, North Carolina, and Mrs. R. E. Benson of Denver, Colorado; a brother, Jonah, of Spokane, Washington; and five grandchildren.

AUSTIN E. LYNCH

Austin E. Lynch was born in Colfax, Washington. He attended Washington State College and came to Montana in 1910, taking up a homestead on North Highwood Bench. He married Maud Sullivan in 1911 in Spokane. He retired from farming in 1940 and moved to Fort Benton.

Mr. Lynch served two terms each in the House of Representatives and the State Senate from Chouteau County. After leaving Fort Benton, the Lynch family lived at Hamilton and Seeley Lake. Later, they lived in Ashland and Eugene, Ore, and Boise Idaho.

Mr. Lynch died in August, 1961, at the age of 76 in Boise, Idaho. Survivors include his widow, Maud; two daughters, Mrs. Margaret Turner of Oakland, California, and Mrs. Nonie Krall of Hungry Horse; one son, Dr. Donald Lynch of Washington, D. C.; and a brother and a sister.

WILLIAM J. McMAHON

William J. McMahon was born at Virginia City, Nevada, September 13, 1879, and came to Butte with his parents in 1882. He attended St. Patrick's grade school and was the first graduate of the old St. Patrick's High School. He attended Missouri State School of Mines for three years. In 1904 he married Theresa Courtney, who preceded him in death in 1956.

During Mr. McMahon's career, he served as assistant mining engineer for the Parrot Silver and Copper Company, and was mining engineer and surveyor for the Anaconda Copper Mining Company. In 1922, he was named labor commissioner for the Anaconda Company. He was deeply interested in community affairs and provided leadership for many local organizations.

After serving as county surveyor of Silver Bow County, he was elected, in 1912, to the Montana House of Representatives and served for three consecutive terms. In all sessions he was chairman of the Committee on Mines and Mining. During the 14th and 15th Sessions, he was Chairman of the Rules Committee and in his last term was Majority Floor Leader.

Mr. McMahon died May 11, 1962. He is survived by three daughters, Mrs. George Oechsli, Butte; Mrs. John Nelson of Seattle, Washington; Mrs. Vern Haugland, Falls Church, Virginia; a son, Dr. W. A. McMahon, of Seattle, Washington; eleven grandchildren and nine great grandchildren.

T. E. (TED) NELSTEAD

T. E. (Ted) Nelstead was born October 12, 1893, at Appleton, Minnesota. He attended Minnesota College of Law and was a veteran of World War I. He settled in Ekalaka in 1919, and purchased the Carter County Abstract and Title Company.

Mr. Nelstead was secretary-treasurer for the National Federal Land Bank Association, Miles City. He and his son, James, owned the Custer County Abstract Title Company at Miles City, and he was once president County Abstract and Title Company.

In 1925, Mr. Nelstead served his first legislative session and also served the special session in 1934, as a Representative from Carter County. He represented the two counties, Carter and Custer, at different times. Representative Nelstead's Montana legislative service dated back longer than any other lawmaker. Because of his service interruption, however, Mr. Nelstead ranked eighth in tenure among legislators in the 1961 Session, with ten sessions.

Representative Nelstead died at Miles City, July 27, 1961. Surviving are his widow, Ella; a daughter, Mrs. George Larson of Kellogg, Idaho; two sons, James and Keith of Billings; six grandchildren and two sisters.

ALBERT H. KRUSE

Albert H. Kruse was born August 26, 1892, at Garrett, Illinois. He was a graduate of Milliken University in Decatur, Illinois. He moved to Montana in 1914, settling near Brussett. Mr. Kruse was a veteran of World War I.

Albert Kruse served seven sessions in the Montana Legislature, representing Garfield County, beginning in 1929. He was Minority Floor Leader during his last session.

Governor Sam C. Ford appointed Mr. Kruse State Commissioner of Agriculture in April, 1941. He served in this capacity until April, 1949. In 1953, he was appointed again by Governor Hugo Aronson, retiring on January 1, 1961.

Mr. Kruse died on January 2, 1963, at Fort Harrison. Survivors include his widow, Eva, and one son, Kermit, both of Helena; a brother, Herbert C. of St. Petersburg, Florida; and a sister, Mrs. Richard Suhl, of Sullivan, Illinois.

DENNIS A. DELLWO

Dennis A. Dellwo was born November 2, 1884, in McLeon County, Minnesota. He attended Gonzaga College in Spokane and received his law degree from Spokane Law College in 1912. He was married to Mary Grace Cassidy in Spokane on February 18, 1914.

He was active in organizing Lake County and was in the Legislature from 1922 to 1934, serving as Speaker of the House in his final two sessions.

Mr. Dellwo was the author of the first school equalization law. He was also instrumental in the creation of the Flathead Irrigation District and was secretary of that board from its foundation.

Survivors include his widow, Mary Grace; two sons, Robert D. of Spokane and Philip J. of Lynchburg, Virginia; two daughters, Mrs. C. L. Kalitowski of Livingston; and Mrs. J. P. Seines of Polson; two brothers, Thomas and John, and nineteen grandchildren.

OSCAR ORLAND MARTY

Oscar Orland Marty was born October 24, 1883, in Sanburn, Minnesota. He married Hilda Louise Hagen at Fargo, North Dakota, on October 7, 1903. The couple homesteaded at Washburn, North Dakota, before moving to a farm near Big Sandy in 1911.

In 1923, they moved into Big Sandy where he served as City Marshal. He served in the Montana House of Representatives in 1923 and later served Chouteau County as Sheriff for twelve years, beginning in January 1931. In 1946 Mr. Marty became Mayor of Big Sandy.

Mr. Marty died in Havre in December, 1962, at the age of 79. His wife, Hilda, preceded him in death in 1961. Survivors include three children, Mrs. Pearl Herschel, Wilmington, California; Lloyd of Big Sandy; and Mrs. Grace Nelson, Fort Benton. He also leaves two brothers, John of Red Cliff, Alberta, Canada, and Robert of Pendleton, Oregon.

ORAL RAY McCLEERY

Oral Ray McCleery was born July 5, 1887, in Barry, Illinois. He lived in Balis, Illinois, until 1900, when he moved to Oklahoma with his parents. He came to Montana in 1913 as a homesteader, locating southwest of Glasgow. He was a veteran of World War I and was seriously wounded while serving in France.

On September 19, 1919, Mr. McCleery was married to Myrtle Agnes Brydon of Glasgow. They located on a farm east of Glasgow in 1923 and were the parents of five children. Mrs. McCleery died in 1928. In 1931 he married Gertrude Boulware whose death occurred in 1952. In 1953 he married Lucille Olson of Glasgow.

Mr. McCleery served two terms as a State Representative in the Montana Legislature from Valley County for the 1941 and 1943 Sessions. He served on the draft board during World War II and was a school board member for nine years. He was a charter member of the American Legion and received his 40-year membership pin from Valley Post in 1960. He was one of the organizers of the Farmers Union in 1929 and a stockholder in the First National Bank of Glasgow.

Mr. McCleery died December 3, 1961, in Glasgow. Survivors include three daughters, Mrs. Irving (Leota) Hoyer, Mrs. Fred (Lyola) Holler, and Mrs. Lavern (Naoma) Kalstad; and two sons, James and Gerald.

EDWARD F. LOVELL

Edward F. Lovell, 54, Anaconda civic leader and veteran of World War II, died suddenly July 22, 1961. Mr. Lovell was a native of Anaconda and had been active throughout his adult years in civic, political, fraternal and patriotic life of the city. Mr. Lovell was born March 12, 1907. He attended schools in Anaconda and Montana State University.

Mr. Lovell was an organizer of the Anaconda Active Club in 1937. He served as president of the club and in other offices of the civic organization. He also served as Governor of Active International. He had the distinction of being Anaconda's first parachute jumper in the early era of aviation in Montana. He was a member of a flying circus group which jumped at air shows throughout Montana and the Rocky Mountain states.

He was a member of the Methodist Church, Anaconda Retail Clerks Union, Teamsters Union, Masonic Lodge, AF & AM, Elks Lodge, the American Legion and the Veterans of Foreign Wars. Mr. Lovell served in the House of Representatives during the 25th Legislative Assembly in 1937.

PHIL D. THOMAS

Phil D. Thomas, widely known musician and native of Anaconda, died suddenly while at work at the Anaconda Reduction Works on May 8, 1961. He was 58 years old.

Mr. Thomas attended local schools and was graduated from Anaconda High School in 1920. He was a popular orchestra leader and played at

many social events in the area for many years. He was an ardent sportsman.

Mr. Thomas learned the electrician's trade at the smelter. He was employed as a clerical worker at the Daly Bank and Trust Company in Anaconda for a number of years before returning to work at the smelter. He was past president of the Royal Arch Masons and treasurer of Acadia Lodge No. 33, AF & AM, a member of the DeMolay Chapter and an alumnus of the DeMolay Chapter Legion of Honor, and a member of the Country Club, Ski Club, Electrical Workers Union and the Musicians Union. Mr. Thomas served in the House of Representatives during the 29th Legislative Assembly in 1945.

Surviving are his wife, Lillian; a daughter; a sister and a brother.

RALPH ALLEN PARKER

Ralph Parker was born March 7, 1887, in Fairbault, Minnesota. He was a salesman for a Minneapolis farm equipment manufacturer for several years before coming to Cascade County in 1923. He owned and operated a farm at Fort Shaw for 18 years. He came to Great Falls in 1948 and traveled for the K and M Tailors until 1958.

Mr. Parker served three terms in the State Legislature in 1941, 1943 and 1945, from Cascade County. Active in democratic circles, he was a member of the Farmers Union and served on the Farmers Union Board and the Reclamation Board. He was a charter member of the Sun River Electric Cooperative, and was a member of the original board of the R. E. A. His wife, Joyce, died in 1958.

Survivors include three daughters, Mrs. Ole (Dorthea) Offerdal, Conrad; Mrs. Howard (June) Lyman, Deer Lodge; and Mrs. Florence Adams, North Hollywood, California; one son, Ralph, of Sun River; a sister, Mrs. J. C. Bates of Frazee, Minnesota; nine grandchildren and two great grandchildren.

PETER M. TEIGEN

Peter M. Teigen was born January 26, 1900, in Helena, the son of Mons and Elsie Teigen, pioneer Montana ranchers. He attended schools in Helena and Fergus County and, later, Montana State College. He was married to Edna Potter on April 18, 1921, and the couple lived at the Teigen ranch at Teigen. He spent most of his life in the Lewistown area.

Representative Teigen served as a legislator from Petroleum County from 1945 to 1947. He was a member of the American Lutheran Church at Grass Range, the Masonic Lodge and Al Bedoo Shrine of Billings and was a director of the Winnett Grazing District since its founding.

Survivors include the widow, Edna; two sons, Mons of Helena, and Peter of Teigen; two daughters, Mrs. Robert A. Lenhardt, Billings, and Mrs. Clifton Bryant, Denver; and a brother, Bard, of Teigen.

FRANK TIERNEY

Frank Tierney was born in Butte, April 17, 1900. He was mayor of Grand Coulee, Washington, in 1937 and 1938. He had been in construction work for forty years and was connected with the Tierney Brothers Contracting Company of Butte.

Representative Tierney served in the Montana House of Representatives from Silver Bow County in the 1945 and 1949 Sessions.

Mr. Tierney died October 24, 1961, at Butte. His widow, Violet, and several children survive.

L. P. (CY.) TONNER

L. P. (Cy.) Tonner was born in Guttenberg, Iowa, September 9, 1899. The family moved to Spokane where he attended schools. He was married to Blanche M. House in Spokane in 1921. He entered the wholesale and retail grocery business there. Twenty-four years ago the family moved to Butte and for 14 years he conducted mining operations there. In 1944, they moved to Flathead County where he entered the logging and lumbering business. He was interested in youth work and served as a member of the executive board of the Boy Scouts of America and as a member of the Flathead County Juvenile Board.

Representative Tonner served in the Montana House of Representatives in 1957 and 1959, from Flathead County.

Mr. Tonner died at Whitefish on February 18, 1962. Survivors include his widow, Blanche; four daughters, Mrs. Betty Bras of Martin City, Mrs. Dorothy Fisher and Mrs. Glenna Schaeffer of Coram, and Mrs. Barbara Latig of Ellensburg, Washington; a brother, Colonel Wiley B. Tonner of Oak View, California.

EUGENE WIGAL

Eugene Wigal was born October 5, 1878, near Huntington, West Virginia. A long time railroad man, he began his career with the Chesapeake and Ohio Railroad on January 1, 1896. In 1902 he went to Tacoma, Washington, with the Northern Pacific Railway Company, then came to Missoula that same year. In 1933 he transferred to Jamestown, North Dakota, as a roundhouse foreman.

Mr. Wigal was a member of the 1933 Montana Legislative Session as a representative from Missoula County. He served two consecutive terms as Exalted Ruler of the Missoula Elks Lodge, and was an honorary life member of the Lodge.

Mr. Wigal died December 28, 1962, at Missoula. He is survived by his son, Thomas; a daughter, Mrs. Harold Woods; a grandson and four granddaughters; one niece and one nephew. Mrs. Wigal died in 1949.

JOHN A. WILSON

John A. Wilson was born July 23, 1878, in Wheaton, Illinois. He moved with his parents to Kearney, Nebraska, and was graduated from the University of Nebraska in 1902. Coming to Montana in 1902, he homesteaded in Judith Basin County and farmed near Moore. He was married to Katherine Lumry in 1910.

Mr. Wilson was a representative from Fergus County in 1919. He was a federal land bank director and president of Central Montana Production Credit Association from 1935 through 1952 and was formerly a director of the Montana Tax Payers Association.

Representative Wilson died March 30, 1962, in Butte. His wife died in Butte in December, 1962. A daughter, Mrs. Krest Cyr, lives in Butte, and another daughter, Mrs. Paul F. Schedler, lives in Spokane, Washington.

ROBERT J. MILLER

Robert J. Miller was born at Calais, Maine, December 8, 1877. He received his education in Maine. Mr. Miller came to Wyoming while still a young man and worked at the Spear Brothers ranch which is in both Wyoming and southern Montana.

His wife, Elda M., to whom he was married in Sheridan, Wyoming in 1907, preceded him in death.

Mr. Miller purchased the home ranch at Lodge Grass in 1907. He was prominent in school affairs and served on the board of trustees, past president of the Montana Stockgrower's Association and a member of the Masonic Lodge. He was elected to the Montana House of Representatives in 1932 and served from Big Horn County during the 1933, 1935 and 1937 Sessions.

Mr. Miller died on his 84th birthday, December 8, 1961. He is survived by a daughter, Mrs. M. T. (Florence) Wells, Lodge Grass; one brother, W. A. (Billy) Miller, Lodge Grass; and one sister, Mrs. Fred Hufford, Shoshone, Wyoming.

JOHN W. WOODCOCK

John W. Woodcock was born in Andrew County, Missouri, March 7, 1868. He came to Montana as a young man of 20. His first work was trailing sheep in Custer County. In 1907, he entered the cattle and sheep business for himself. He organized the Woodcock Land and Cattle Company in 1947, later turning operation of the company over to his children. In later years he acquired a home across the river from Fort Benton. He was active in the establishment of Northern Montana College at Havre. Mr. Woodcock served as County Commissioner in Chouteau County for two terms.

Mr. Woodcock served four terms in the Montana House of Representatives, being elected in 1926. He sponsored a tax bill which was enacted into law, was on the Committee on Counties and County Divisions, and the Committee on Revenues and Education.

Mr. Woodcock died July 11, 1961. His wife, Olga, whom he married at St. Paul, Minnesota, November 14, 1907, preceded him in death in 1946. Survivors include sons, John Jr., of Lloyd and Ben of Shonkin; daughters, Mrs. Olga Dawson and Mrs. Seena Walker of Great Falls and Mrs. Betty Willits of Fort Benton; twelve grandchildren and six great grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that a copy of this Memorial be entered upon the Journal of the House, and that original copies thereof, signed by the Speaker of the House, be transmitted to the surviving members of their families, hereinabove designated, and that an original copy of this Memorial be filed with the Historical Society of the State of Montana.

FRANK. W. HAZELBAKER
Speaker of the House

WILLIAM WALRATH
Chief Clerk of the House

NECROLOGY COMMITTEE:

JOY I. NASH, Chairman
ANTOINETTE ROSELL
C. G. STRANAHAN
JEAN A. TURNAGE
HENRY L. GILL

Committee report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 21, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Joint Memorial No. 10—Introduced by Haughey, et al.

Sincerely,

TIM BABCOCK
Governor

February 22, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 54, introduced by Nash, Schye, Wayrynen, Rosell,
Spahr, Eskildsen and Blewett.

House Bill No. 276, introduced by Lund, Stranahan and Cummings

House Bill No. 300, introduced by Judge.

House Bill No. 385, introduced by Dykstra and Haughey.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 22, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitutes for House Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 209, introduced by the Committee
on Local Government.

Senate Substitute for House Joint Memorial No. 6, introduced by the
Committee on Local Government.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 22, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 58, introduced by Dykstra, Regan and Hibbard.

House Bill No. 88, introduced by Dykstra and Bradford.

House Bill No. 226, introduced by Kvaalen.

House Bill No. 246, introduced by Kvaalen.

House Bill No. 247, introduced by Committee on Ways and Means.

House Joint Resolution No. 6, introduced by Dykstra, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Boughton, having voted on the prevailing side, moved that the House reconsider its action in adopting the Committee of the Whole report of the previous day, as it pertains to Senate Bill No. 99.

Substitute motion was made by Turnage that the motion by Boughton that the House reconsider its action in adopting the Committee of the Whole report of the previous day be laid on the table.

Goan requested a Call of the House and a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Goan moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Baldwin, Bardanouve, Bradford, Brenner, Crum, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Nutting, O'Hair, Raundal, Reinecke, Schepens, Schye, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Zimmer. Total 44.

Noes: Adams, Asbjornson, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haughey, Hawks, Hemstad, Hibbard, Holtz, Keller, Kvaalen, Leuthold, Lucas, Lund, McNamer, Murray, Nash, Nelson, Nichols, Northey, Pierce, Rearden, Regan, Rehberg, Selstad, Seymour, Smiley, Swanz, Thompson, Tooke, Woodard, Wright, Mr. Speaker. Total 44.

Paired: Welch, aye; Mathers, no.

Absent or not voting: Lundgren, Osburnsen, Rosell. Total 3.

Excused: Bashor. Total 1.

After debate, Bradford moved the previous question. Substitute motion was made by Turnage that the House recess subject to the Call of the Chair. Substitute motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Boughton, having voted on the prevailing side, moved that the House reconsider its action in adopting the Committee of the Whole report of the previous day, as it pertains to Senate Bill No. 99.

Wayrynen requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Wayrynen moved that the Call of the House be dispensed with. Motion carried. Turnage requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose.

Substitute motion was made by Eskildsen that the motion by Boughton that the House reconsider its action in adopting the Committee of the Whole report of the previous day be laid on the table. Eskildsen requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, a roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Baldwin, Bardanouve, Bradford, Brenner, Crum, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Nutting,

O'Hair, Osburnsen, Raundal, Reinecke, Schepens, Shelden, Slaby, Spahr, Spilde, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Zimmer. Total 42.

Noes: Adams, Asbjornson, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Pierce, Rearden, Regan, Rehberg, Schye, Selstad, Seymour, Smiley, Smith, Swanz, Thompson, Tooke, Woodard, Wright, Mr. Speaker. Total 48.

Paired: Welch, aye; Mathers, no.

Absent or not voting: Rosell. Total 1.

Excused: Bashor. Total 1.

Original motion by Boughton carried.

Motion was made by Blewett that Senate Bill No. 99 be segregated from the Committee of the Whole report of the previous day. Motion carried.

Motion was made by Blewett that the Committee of the Whole report of the previous day be adopted as amended. Motion carried.

Adams, having voted on the prevailing side, moved that the House reconsider its action of the previous day in failing to pass on Third Reading Senate Bill No. 24. After debate, Haines moved the previous question. Motion carried. Original motion by Adams carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 8

Introduced by Blewett

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That Joint Rules of House of Representatives and Senate be amended by adding Joint Rule No. 25 to read as follows:

"No. 25. HOUSE AND SENATE AMENDMENTS—RULE 36, Section 3 of the House of Representatives and RULE X, Section 2 of the Senate shall not apply to amendments proposed by the opposite House or by a Conference Committee."

Motion was made by Blewett that the Resolution be adopted. Motion carried.

Motion was made by Blewett that the Conference Committee heretofore appointed on February 14, 1963, to meet with a like committee of the Senate with reference to Senate amendments to House Bill No. 81 be authorized by the House to consider and report back to the House on the merits of the Senate amendments. Motion carried.

Motion was made by Blewett that Senate Bill No. 55 be rereferred to the Committee on Agriculture. Motion carried.

Motion was made by Blewett that Senate Bill No. 204 be taken from the Committee on Rules and rereferred to the Committee on Education. Motion carried.

Motion was made by Blewett that Senate Bill No. 190 be taken from the Committee on Rules and rereferred to the Committee on State Administration. Motion carried.

Motion was made by Blewett that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

February 23, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 141.

SELSTAD

February 23, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 195, 45, 8, 150, 224, 259, 19, 348, 261 and 175.

SELSTAD

I have examined House Bill No. 141 introduced by me and find the same to be correct.

WEEKS

I have examined House Bill No. 261 introduced by me and find the same to be correct.

LUCAS

I have examined House Bill No. 259 introduced by me and find the same to be correct.

MATHERS

I have examined House Bill No. 348 introduced by me and find the same to be correct.

ZIMMER

I have examined House Bill No. 224 introduced by me and find the same to be correct.

BEAM

I have examined House Bill No. 45 introduced by me and find the same to be correct.

BLEWETT

I have examined House Bill No. 8 introduced by me and find the same to be correct.

MURRAY

I have examined House Bill No. 195 introduced by the Committee on Highways and find the same to be correct.

BROEDER

I have examined House Bill No. 175 introduced by me and find the same to be correct.

LUCAS

I have examined House Bill No. 19 introduced by me and find the same to be correct.

LUCAS

I have examined House Bill No. 150 introduced by me and find the same to be correct.

LUCAS

MESSAGES FROM THE SENATE

February 23, 1963

Mr. Speaker:

The Senate this day adopted the following Resolution relating to the Joint Rules of the Senate and House of Representatives:
Senate Resolution No. 19, introduced by the Committee on Rules:

BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA: That Joint Rules of the Senate and House of Representatives be amended by adding Joint Rule No. 25 as follows:

“No. 25. SENATE AND HOUSE AMENDMENTS—RULE 36, Section 3 of the House of Representatives and RULE X, Section 2 of the Senate shall not apply to amendments proposed by the opposite House or by a Conference Committee.”

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on Highway and Transportation recommended that House Bill No. 303 be not concurred in, but that Senate Substitute for House Bill No. 303 do pass.

House Bill No. 303 is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

THIRD READING OF SENATE BILLS

Motion was made by Blewett that the House pass Third Reading of Senate Bills for the present time. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Nichols of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 132 be passed for the day.

That Senate Bill No. 115 be concurred in.

That further consideration of House Bill No. 297 be indefinitely postponed.

That further consideration of Senate Bill No. 53 be indefinitely postponed.

That consideration of Senate Amendments to House Bill No. 66 be advanced on the calendar and considered at this time.

That Senate Amendments to House Bill No. 66 be not concurred in and that a Conference Committee of three be appointed to meet with a like committee from the Senate.

That Senate Bill No. 151 be concurred in.

That Senate Joint Memorial No. 3 be concurred in.

That Senate Bill No. 62 be concurred in.

That Senate Bill No. 114 be concurred in.

That further consideration of Senate Bill No. 16 be indefinitely postponed.

That Senate Joint Memorial No. 5 be concurred in.

That the committee rise and report.

Report adopted.

NICHOLS, Chairman

Motion was made by Blewett that the House adjourn until 10:00 a.m., Monday, February 25, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 25, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bashor, Hanks and Smiley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-eighth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 66: McNamer, Nichols, Wayrynen.

REPORTS OF STANDING COMMITTEES

February 23, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 55, 213, 211, 171, 109, 65, 225, 233, 400, 316, 270, 251 and 402, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:00 P.M., delivered to the Governor for his approval.

MURRAY, Chairman

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be amended as follows:

Amend on page 2, line 20 of the original bill by striking "semicolon" and inserting in lieu thereof a "period" and by striking the following words and punctuation: "and provided, that the governor shall nominate and transmit to the state senate the names of the first members of the said board, on or before the 3rd day of March, 1937."

And as amended, be concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 6, respectfully report as follows: That Senate Joint Resolution No. 6 be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 196, respectfully report as follows: That Senate Bill No. 196 be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 35, respectfully report as follows: That Senate Bill No. 35 be amended as follows:

Be amended in line 8, page 1, of the title by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "four hundred dollars (\$400.00)."

Be further amended on page 3, line 19, of the original bill, by striking the words and figures "five hundred dollars (\$5.00.00)" and inserting in lieu thereof the words and figures "four hundred dollars (\$400.00)".

And as amended, be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Joint Resolution No. 11, respectfully report as follows: That Senate Joint Resolution No. 11 be amended as follows:

Amend in line 25, page 2, of the original bill, by inserting the following: "5. Measures and programs needed to insure adequate protection of water quality and wise conservation of our water resources."

And as amended, be concurred in.

LEUTHOLD, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 189, introduced by Smith, et al.

House Bill No. 204, introduced by Nash, Smiley.

I am further directed to inform you that the following House Bill this day failed to be concurred in on third reading, and the same is herewith returned to the House:

House Bill No. 389, introduced by Goan, East.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 312, introduced by Schye, Spilde.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 100, introduced by Dykstra, Blewett.

House Bill No. 124, introduced by Pierce, Rosell, Healy, Lombardi.

House Bill No. 152, introduced by Pierce, Murray.

House Bill No. 203, introduced by Judge, et al.

House Bill No. 223, introduced by McNamer, Murray.

House Bill No. 252, introduced by Leuthold, et al.

House Bill No. 301, introduced by Kvaalen, Haughey, Spahr.

House Bill No. 339, introduced by Crum, Leuthold.

House Bill No. 369, introduced by Crum.

House Joint Memorial No. 5, introduced by Haines, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Beck that Senate Bill No. 132 be taken from General Orders and rereferred to the Committee on State Administration. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 418, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain licensing and examining boards for the biennium ending June 30, 1965."

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Regan, Schye. Total 2.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 122 was concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Casey, Crum, Cummings, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Haines, Haughey, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Selstad, Slaby, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright. Total 67.

Noes: Asbjornson, Bardanouve, Bradford, Broeder, Davis, Good, Harper, Hawks, Healy, Hemstad, Johnson, Lewis, Lombardi, Lund, Lundgren, Rosell, Seymour, Shelden, Stranahan, Tracy, Wayrynen, Zimmer, Mr. Speaker. Total 23.

Absent or not voting: Schye. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Joint Resolution No. 12 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cum-

mings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Boughton. Total 1.

Absent or not voting: Eskildsen, Pierce, Schye. Total 3.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Selstad, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 80.

Noes: Boughton, Bradford, Crum, Goan, Haughey, Murray, Nash, Rosell, Smith, Woodard. Total 10.

Absent or not voting: Schye. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Substitute for House Bill No. 26 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Boughton, Leuthold, Schye. Total 3.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 18 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Pierce, Regan, Rehberg,

Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 66.

Noes: Bardanouve, Bradford, Brenner, Cummings, Davis, Eskildsen, Gill, Good, Harper, Healy, Johnson, Kvaalen, Lombardi, Osburnsen, Raundal, Rearden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Zimmer. Total 23.

Absent or not voting: Schye, Smith. Total 2.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 24, requiring a two-thirds vote for passage, was not concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Davis, Deschamps, Dykstra, East, Eskildsen, Falkenstern, Flynn, Gill, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Reinecke, Schye, Selstad, Seymour, Spahr, Spilde, Swanz, Thompson, Tooke, Twedt, Watt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Aasheim, Beam, Brenner, Crum, Cummings, Egan, Etchart, Garrison, Goan, Good, Haines, Harper, Healy, Johnson, Laas, Lewis, Lombardi, Nash, O'Hair, Osburnsen, Raundal, Rehberg, Rosell, Schepens, Shelden, Slaby, Smith, Stranahan, Tracy, Welch, Woodard, Zimmer. Total 32.

Absent or not voting: Turnage. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: Flynn. Total 1.

Absent or not voting: Lewis, Schye. Total 2.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 151 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr,

Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 90.

Noes: None.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Joint Memorial No. 3 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Woodard, Wright, Mr. Speaker. Total 66.

Noes: Aasheim, Bardanouve, Bradford, Cummings, Davis, Eskildsen, Flynn, Gill, Good, Harper, Healy, Johnson, Lewis, Lombardi, O'Hair, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Wayrynen, Welch, Zimmer. Total 24.

Absent or not voting: Pierce. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Adams, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, East, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Reinecke, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Woodard, Mr. Speaker. Total 53.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Etchart, Flynn, Gill, Good, Harper, Healy, Hemstad, Laas, Lewis, Lombardi, Lucas, Lund, Murray, O'Hair, Osburnsen, Raundal, Rehberg, Rosell, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt, Wayrynen, Welch, Wright, Zimmer. Total 38.

Absent or not voting: None.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Crum, Davis, Deschamps, Dykstra, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hibbard, Holtz, Jensen, Johnson, Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, McNamer, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Seymour, Slaby, Spahr, Spilde, Stranahan, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: Asbjornson, Boughton, Broeder, Casey, Cummings, East, Egan, Eskildsen, Etchart, Harper, Hemstad, Jenkins, Keller, Laas, Lundgren, Mathers, Murray, Nutting, O'Hair, Reinecke, Selstad, Shelden, Smith, Swanz, Thompson, Wayrynen, Wright. Total 27.

Absent or not voting: None.

Excused: Bashor, Hanks, Smiley. Total 3.

Senate Joint Memorial No. 5 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz,, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrinen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Pierce. Total 1.

Excused: Bashor, Hanks, Smiley. Total 3.

February 25, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 58, 88, 226, 246, 247 and House Joint Resolution No. 6.

SELSTAD

I have examined House Bill No. 58 introduced by Dykstra, Regan, Hibbard and find the same to be correct.

DYKSTRA

I have examined House Bill No. 247 introduced by Committee on Ways and Means and find the same to be correct.

SCHYE

I have examined House Bills Nos. 226 and 246 introduced by Kvaalen and find the same to be correct.

KVAALEN

I have examined House Bill No. 88 introduced by Dykstra and Bradford and find the same to be correct.

DYKSTRA

I have examined House Joint Resolution No. 6 introduced by Dykstra, Hibbard, et al and find the same to be correct.

DYKSTRA

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 141, 261, 259, 348, 150, 19, 175, 195, 8, 45, 224, House Joint Resolution No. 6, House Bills Nos. 58, 247, 226, 246 and 88.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Stranahan of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Joint Memorial No. 9 be concurred in.

That Senate Joint Memorial No. 6 be concurred in.

That Senate Bill No. 39 be concurred in.

That Senate Bill No. 58 be concurred in.

That Senate Joint Resolution No. 10 be concurred in.

That consideration of Senate Amendments to House Bill No. 93 be placed after consideration of Senate Amendments to House Bill No. 164 on the calendar.

That Senate Amendments to House Bill No. 60 be concurred in.

That Senate Amendments to House Bill No. 164 be concurred in.

That Senate Amendments to House Bill No. 93 be concurred in.

That consideration of Senate Joint Resolution No. 15 be placed at the bottom of the calendar.

That consideration of Senate Bill No. 99 be passed for this sitting.

That consideration of Senate Bill No. 57 be passed for the day.

That Senate Joint Resolution No. 13 be concurred in.

That further consideration of Senate Bill No. 208 be indefinitely postponed.

That Senate Bill No. 156 be concurred in.

That consideration of Senate Bill No. 20 be passed for this sitting.

That Senate Amendments to House Bill No. 54 be concurred in.

That Senate Amendments to House Bill No. 276 be concurred in.

That Senate Amendments to House Bill No. 300 be concurred in.

That Senate Amendments to House Bill No. 385 be concurred in.

That Senate Substitute for House Bill No. 209 be concurred in.

That the Committee rise and report.

STRANAHAN, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that Senate Bill No. 20 be taken from General Orders and rereferred to the Committee on Education. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be amended as follows:

That the title be amended on line 9, page 1 of the original bill, being page 1 of the printed bill, by inserting the words "and maliciously" immediately before the word "displace", and immediately after the word "wilfully";

That the title be further amended on line 13, page 1 of the original bill, being page 1 of the printed bill, by inserting the words and punctuation "and maliciously cut, break," immediately after the word "wilfully" and immediately before the word "displace";

That the title be further amended on line 13, page 1, of the original bill, being page 1 of the printed bill, by inserting the words and punctuation "any microwave facilities or" immediately following the word "destroy" and immediately before the word "any";

That the title be further amended on line 26, page 1 of the original bill, being page 2 of the printed bill by deleting the words and punctuation "cut, break or" immediately following the word "maliciously";

That Section 1 be amended on line 8, page 2 of the original bill, being line 10 of the printed bill, by inserting the words and punctuation "cuts, breaks," immediately following the word "maliciously" and immediately before the word "displaces";

That Section 1 be further amended on line 9, page 2 of the original bill, being line 11 of the printed bill by inserting the words and punctuation "any microwave facilities or" immediately after the word "destroys" and immediately before the word "any";

That Section 2 be amended on line 25, page 2 of the original bill, being line 8, page 3 of the printed bill by striking therefrom the words and punctuation "cuts, breaks,"

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be not concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 205, respectfully report as follows: That Senate Bill No. 205 be not concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 117, respectfully report as follows: That Senate Bill No. 117 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 74, respectfully report as follows: That Senate Bill No. 74 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 73, respectfully report as follows: That Senate Bill No. 73 be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be not concurred in.

WEEKS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 23, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

Substitute House Bill No. 17—Introduced by Committee on Affairs of Cities.

Sincerely,

TIM BABCOCK
Governor

February 25, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 189 introduced by Smith, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House accede to the request of the Senate and return House Bill No. 189 to the Senate. Motion carried.

Motion was made by Spahr that Senate Joint Resolution No. 13 be taken from Third Reading and placed on General Orders. Motion carried.

Motion was made by Tracy that Subsection 3 of House Rule 36 be suspended for the purpose of receiving into the House for consideration by the House, Substitute Senate Bill No. 171. Tracy requested a roll call vote with the results thereof to be spread on the Journal, and sufficient seconds arose. Blewett rose to a point of order, and the Chair ruled the motion by Tracy out of order.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Memorial No. 9 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Holtz, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Seymour, Shelden, Slaby, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Beam, Crum, Garrison, Hibbard, Jenkins, McNamer, Rosell, Schye, Selstad, Spilde. Total 10.

Absent or not voting: Bardanouve, Goan, Jensen. Total 3.

Excused: Bashor, Smiley. Total 2.

Senate Joint Memorial No. 6 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Selstad. Total 1.

Absent or not voting: Bardanouve, Crum, Jenkins, Lundgren, Pierce. Total 5.

Excused: Bashor, Smiley. Total 2.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Bardanouve. Total 1.

Excused: Bashor, Smiley. Total 2.

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beck, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Mr. Speaker. Total 80.

Noes: Blewett, Eskildsen, Flynn, Goan, Haughey, Murray, Rosell, Wayrynen, Wright, Zimmer. Total 10.

Absent or not voting: Bardanouve, Beam. Total 2.

Excused: Bashor, Smiley. Total 2.

Senate Joint Resolution No. 10 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Hibbard, Kvaalen, McNamer, Selstad, Wright. Total 5.

Absent or not voting: Bardanouve, O'Hair, Pierce. Total 3.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 60 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Goan, Haughey, Murray, Wayrynen. Total 4.

Absent or not voting: Bardanouve, Hanks, Lundgren. Total 3.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 164 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis,

Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Goan, Kvaalen. Total 2.

Absent or not voting: Bardanouve, Boughton, Lundgren, Thompson, Wayrynen. Total 5.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 93 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 82.

Noes: Baldwin, Boughton, Egan, Goan, Kvaalen, Raundal, Watt. Total 7.

Absent or not voting: Bardanouve, Lundgren, Wayrynen. Total 3.

Excused: Bashor, Smiley. Total 2.

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Schepens, Schye, Selstad, Shelden, Slaby, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 75.

Noes: Boughton, Etchart, Goan, Haughey, Kvaalen, Leuthold, Murray, Nash, Reinecke, Rosell, Seymour, Smith, Swanz, Woodard, Wright. Total 15.

Absent or not voting: Bardanouve, Lundgren. Total 2.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 54 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins,

Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Asbjornson, Bardanouve, Beck, Davis, East, Garrison, Goan, Schye, Zimmer. Total 9.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 276 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Bardanouve, Beck, Hanks, Reinecke. Total 4.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 300 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hawks, Healy, Hibbard, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Adams, Baldwin, Casey, Etchart, Hanks, Harper, Haughey, Hemstad, Holtz, Keller, Kvaalen, Lund, Murray, O'Hair, Schepens, Selstad, Smith, Wright. Total 18.

Absent or not voting: Bardanouve, Beck, Garrison, Pierce. Total 4.

Excused: Bashor, Smiley. Total 2.

Senate Amendments to House Bill No. 385 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren,

Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 76.

Noes: Cummings, Egan, Flynn, Gill, Good, Hanks, Harper, Healy, Judge, Lombardi, O'Hair, Raundal, Schepens, Tracy, Woodard. Total 15.

Absent or not voting: Bardanouve. Total 1.

Excused: Bashor, Smiley. Total 2.

Senate Substitute for House Bill No. 209 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: Haughey, Wayrynen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Excused: Bashor, Smiley. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous setting. Motion carried.

Stranahan of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 99 be concurred in.

That Senate Substitute for House Joint Memorial No. 6 be concurred in.

That Senate Bill No. 131 be concurred in.

That further consideration of Senate Bill No. 146 be placed at the bottom of the calendar.

That Senate Joint Resolution No. 6 be concurred in.

That Senate Bill No. 196 be concurred in.

That Senate Bill No. 35 be concurred in.

That the Committee rise and report.

STRANAHAN, Chairman

Report adopted.

February 25, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 141, 246, 259, 261, 226, 247, 58 and House Joint Resolution No. 6, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:50 o'clock P.M., delivered to the Governor for his approval.

MURRAY, Chairman

Motion was made by Blewett that the House adjourn until 10:00 a.m., Tuesday, February 26, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 26, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bashor, Broeder, Hawks and Smiley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fiftieth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORT OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do pass.

NICHOLS, Vice-Chairman

Report Adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do pass.

NICHOLS, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be amended by striking therefrom the amendments adopted by the House Education Committee on February 21, 1963, and be further amended as follows:

1. Amend Section 1, in line 25, page 2 of the original bill, being line 17, page 2 and line 18, page 3 of the printed bill, by deleting the words "state public school equalization fund" and inserting in lieu thereof the words "moneys available for state equalization aid".

2. Further amend Section 1 by deleting in entirety the words and figures in lines 28, 29, and 30, page 4 and lines 1 through 5, page 5 of

the original bill, being lines 76 through 82, page 5 of the printed bill, and inserting in lieu thereof the following:

"On or before January 1 of odd-numbered years, the state superintendent of public instruction shall transmit to the Legislative Assembly of the State of Montana a revised schedule for elementary schools in accordance with classifications by size as set forth in this section. This revised schedule will be based on the median general fund budgeted expenditures for the current year, by ascertaining the median of the general fund budgets for each classification of elementary schools, and the total number of pupils (ANB) for all schools in each classification, and by computing the revised schedule therefrom."

3. Amend Section 4, by deleting in their entirety lines 29 and 30, page 10 and lines 1 through 5, page 11 of the original bill, being lines 46 to 51 of the printed bill, which provide as follows: "For budget purposes in the elementary and secondary schools an ANB corrected for changes in enrollment shall be used as follows:

The ANB as defined in Section 75-3611, R.C.M. 1947, may be adjusted by an amount equal to the difference between the actual ANB of the current year and the actual ANB of the preceding year."

4. Amend Section 5, in line 30, page 11 and line 1, page 12 of the original bill, being lines 3 and 4, page 11 of the printed bill, by deleting the words "coming into said state public school equalization fund" and inserting in lieu thereof the following words "available for state equalization aid".

5. Amend Section 6, in lines 24 and 25, page 15 of the original bill, being line 5, page 15 of the printed bill, by deleting the words "from the state public school equalization fund" and inserting in lieu thereof the following words "of state equalization aid".

6. Further amend Section 6, in lines 3 and 4, page 16 of the original bill, being lines 12 and 13, page 15 of the printed bill, by deleting the words "from the permanent school fund of the state, from other constitutional sources, if any," and inserting in lieu thereof the following: "of interest and income moneys".

7. Further amend Section 6 by deleting in line 4, page 16 of the original bill, the words "and from" and by deleting in lines 6 and 7, page 16 the words "the basic county levies provided for by this act", all of which words are found in lines 15 and 16, page 15 of the printed bill, and by inserting in lieu thereof the following: "and from all other regular sources of revenue required to be used to finance the foundation program as provided in section 75-3706 and 75-4516.1".

8. Further amend Section 6, in lines 17, 18 and 19, page 16 of the original bill, being lines 22, 23, 24, page 15 of the printed bill, by deleting the following words and punctuation: ", acting as the public school equalization board," (with no substitution of words) and also deleting the words "funds from the state public school equalization fund" and substituting therefor the following "state equalization aid".

9. Amend Section 7 by striking out lines 28 through 30, page 16 of the original bill and lines 1 through 24, page 17 of the original bill, being lines 3 through 25, page 16 of the printed bill, and inserting in lieu thereof the following:

"75-3617. Before any elementary school having an ANB of [eight (8)] 'nine (9)' or less may be approved as an isolated school, and before any high school having an ANB of twenty-four (24) or less may be approved as an isolated high school, the board of trustees of the district wherein said school is located shall, on or before the first day of May in each year, make written application to the budget board for such approval. Such application shall be acted upon on or before the fifteenth

day of June, and such application shall be granted if [said budget board shall find and determine that] transportation of the pupils of such school to another school is impractical by reason of the existence of obstacles to travel, such as mountains, rivers, poor roads, distance of pupils' homes from county roads or highways, or the distance of such isolated school from the nearest open school having room and facilities for the pupils of such isolated school; [and an elementary school may also] "or other conditions resulting in unusual hardship to the pupils, such school shall" be approved as an isolated school upon a finding and determination by said budget board, approved by the county superintendent of schools and by the state [superintendent of public instruction of the existence of conditions other than obstacles to travel which would result in unusual hardship to the pupils of such isolated school if they were transported to another school]; "board of education," and if none of the above mentioned circumstances exist, such application shall be denied."

10. Amend Section 8 by striking out all of lines 27 through 30, page 17 of the original bill, and all of lines 1 through 24, page 18 of the original bill, being lines 3 through 26, pages 16 and 17 of the printed bill, and inserting in lieu thereof the following:

"75-3618. Distribution of money available to districts—formula for apportionment of county funds. After the deduction of transportation reimbursements provided by law, the proceeds of the basic county [ten (10) mills common school] levy 'for common schools as provided for in section 75-3706,' and the proceeds of the basic county [ten (10) mill] special tax for high schools 'as provided for in section 75-4516.1,' shall each be separately distributed by the county superintendent to the respective districts in the county, and the county high school if there be one, in proportion to their needs under the foundation financial program. In all cases in which the proceeds of such basic county levy [and the five (5) mill tax for elementary schools provided for in section 75-1723,] when added to [all other funds] 'interest and income moneys' available to the respective districts [from the permanent school fund], and other funds which must be used in support of the foundation financial program are insufficient to finance the foundation financial program, the proceeds of the [basic] county common school levy and the proceeds of the [basic] county special tax for high schools shall [each] be separately distributed in accordance with the following procedure; provided, however, that cash balances to the credit of the district at the end of the school year, after authorized reserves have been subtracted as well as outstanding warrants, shall be used by the district to reduce the levies on the district for the general fund after [the uniform district levy and] county and state equalization aid have been received:"

11. Amend Section 9 in lines 1 and 2, page 20 of the original bill, being line 5, page 18 of the printed bill, by deleting the words "payment from the state public school equalization fund" and inserting in lieu thereof the following: "state equalization aid".

12. Further amend Section 9 in line 5, page 20 of the original bill, being line 8, page 19 of the printed bill, by striking the words "in said equalization fund".

13. Further amend Section 9, subsection (1), in line 13, page 20 of the original bill, being line 14, page 19 of the printed bill, by deleting the words "in the equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

14. Further amend Section 9, subsection (2), in lines 17 and 18, page 20 of the original bill, being line 18, page 19 of the printed bill, by deleting the words "from the equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

15. Further amend Section 9, subsection (4), in line 29, page 20 of the original bill, being line 27, page 19 of the printed bill, by deleting

the words "from the equalization fund" and inserting in lieu thereof the words "for state equalization aid".

16. Further amend Section 9, subsection (4), in lines 2 and 3, page 21 of the original bill, being line 30, page 19 of the printed bill, by deleting the words "from the equalization fund" and inserting in lieu thereof the words "for state equalization aid".

17. Further amend Section 9, in lines 14 and 15, page 21 of the original bill, being lines 41 and 42, page 20 of the printed bill, by deleting the words "public school equalization fund" and inserting in lieu thereof the words "for state equalization aid".

18. Further amend Section 9, in lines 19 and 20, page 21 of the original bill, being line 46, page 20 of the printed bill, by deleting the words "public school equalization fund" and inserting in lieu thereof the following: "for state equalization aid".

19. Amend Section 10, by deleting all of lines 25 through 30, page 21 of the original bill, and all of lines 1 through 23, page 22 of the original bill, being all of lines 3 through 26, pages 20 and 21, of the printed bill, and inserting in lieu thereof the following:

"75-3706. "(1)" Common school levy. [In addition to the provisions for the support of the common schools, hereinbefore provided, it shall be the duty of the county commissioners of each county in the state to levy an annual tax of ten (10) mills on the dollar of the taxable value of all taxable property within the county, which levy shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, which tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected; provided that if a levy of less than ten (10) mills should be sufficient to meet the total of the approved budgets of all school districts within the county, then such lesser levy shall be made, but no school district within a county levying less than ten (10) mills shall receive any apportionment from the state public school equalization fund.] "On or before the first day of August in each year, the state board of equalization, after consultation with the state superintendent of public instruction, shall compute and determine the sum of money which, when added to the interest and income moneys and state equalization aid, shall provide seventy-five per cent (75%) of the applicable schedules for all elementary schools as set forth in Section 75-1713.1, and the board shall also compute and determine the number of mills of a tax (herein called the basic common school tax) on the taxable value of all taxable property within all the counties of the state which is calculated to produce the aforesaid sum of money.

If a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets of all school districts within one or more counties, the state board of equalization shall re-compute the basic common school tax to be levied in the remaining counties, excluding in the computations the amount of the foundation programs in the county or counties requiring a lesser levy and the share of interest and income moneys to be distributed to such county or counties, thus determining as the adjusted basic common school tax the number of mills required to produce the sum of money which, when added to all the moneys available for state equalization aid and to the shares of interest and income moneys to be distributed to all school districts except those which as hereinafter provided are not entitled to apportionment of state equalization aid, shall equal the total of the foundation programs of all elementary school districts except those not entitled to apportionment of state equalization aid. In no event shall the adjusted basic common school tax in either year of the biennium from July 1, 1963 to June 30, 1965 exceed twenty-five (25) mills.

In addition to the provisions for the support of the common schools hereinbefore provided, it shall be the duty of the board of county com-

missioners of each county in the state to levy on the taxable valuation of all taxable property in the county the number of mills determined by the board of equalization as the adjusted basic common school tax, except that the board in any county in which a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets from all school districts within the county shall levy such lesser number of mills.

The levy in each county shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, and the tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected.

No county levying less than the adjusted basic common school levy shall receive any state equalization aid.

(2) Mandatory district levy. It shall further be the duty of the board of county commissioners to levy, if necessary, an additional tax in such number of mills on the taxable value of all taxable property within each school district as shall be required to provide the foundation program for such school district."

20. Amend Section 11, by deleting all of lines 6 through 19, page 23 of the original bill, being lines 5 through 15, pages 21 and 22 of the printed bill, and inserting in lieu thereof the following:

"1. To receive and hold all school moneys and to keep a separate account of their disbursements to the several school districts which shall be entitled to receive them according to the apportionment of the county superintendent. A separate account shall be maintained for each fund supported by a county-wide levy for a specific, authorized purpose, including (1) the "basic" county [ten] mill levy for elementary schools "as provided in section 75-3706", (2) the "basic" county [ten] mill levy for high schools "as provided in Section 75-4516.1", (3) the county levy for high school transportation as provided in section 75-3414, and (4) the county levy for the high school retirement systems as provided in sections 68-603 and 75-2709."

21. Amend Section 13 by deleting all of lines 15 through 22, page 29 of the original bill, being lines 53 through 59, page 27 of the printed bill, and inserting in lieu thereof the following:

"The total of the transfer budget shall be subtracted from the receipts from the basic county [ten (10)] mill levy for high schools 'as provided for in section 75-4516.1' before the remainder of such receipts is distributed to the high schools of the county. Such total of the transfer budgets shall be held in a transfer fund separate and apart from other school funds and shall be allocated by the county treasurer upon instructions from the county superintendent."

22. Further amend Section 13, in lines 7, 8 and 9, page 30 of the original bill, being lines 72 and 73, page 28 of the printed bill, by deleting the words "be reimbursed from the state public school equalization fund at the rate of" and inserting in lieu thereof the words "receive from moneys available for state equalization aid".

23. Further amend Section 13, in line 11, page 30 of the original bill, being line 75, page 28 of the printed bill, by inserting between the words "of" and "state" the word "regular".

24. Amend Section 14, by striking out all of lines 28 through 30, page 30 of the original bill, and all of pages 31 and 32 of the original bill, and lines 1 through 7, page 33 of the original bill, being all of lines 3 through 60, pages 28, 29 and 30 of the printed bill, and inserting in lieu thereof the following:

["75-4516.1. Levy of taxes. It shall be the duty of the county commissioners of each county in the state to levy an annual special tax for

high schools of ten (10) mills on the dollar of the taxable value of all taxable property within the county, which levy shall be made at the time and in the manner provided by law for the levying of taxes for county purposes and which tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected; provided that if a levy of less than ten (10) mills should be sufficient to meet the total of the approved budgets of all school districts within the county, then such lesser levy shall be made, but no high school within a county levying less than ten (10) mills for high school purposes shall receive any apportionment from the state public school equalization fund.]

"75-4516.1. Levy of taxes. "(1) Basic high school levy. On or before the first day of August in each year, the state board of equalization, after consultation with the state superintendent of public instruction, shall compute and determine the sum of money which when added to the moneys available for state equalization aid shall provide seventy-five per cent (75%) of the maximum high school budgets for all high schools as set forth in sections 75-4518.1 and 75-3612, and the board shall also compute and determine the number of mills of a tax (herein called the basic high school tax) on the taxable value of all taxable property within all the counties of the state which is calculated to produce the aforesaid sum of money.

"If a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets of all school districts within one or more counties, the state board of equalization shall recompute the basic high school tax to be levied in the remaining counties, excluding in the computations the amount of the foundation programs in the county or counties requiring a lesser levy, thus determining as the adjusted basic high school tax the number of mills required to produce the sum of money which, when added to all the moneys available for state equalization aid to be distributed to all high schools except those which as hereinafter provided are not entitled to apportionment of state equalization aid, shall equal the total of the foundation programs of all high schools except those not entitled to apportionment of state equalization aid. In no event shall the adjusted basic high school tax in either year of the biennium from July 1, 1963 to June 30, 1965 exceed fifteen (15) mills.

"In addition to the provisions for the support of the high schools hereinbefore provided, it shall be the duty of the board of county commissioners of each county in the state to levy on the taxable valuation of all taxable property in the county the number of mills determined by the board of equalization as the adjusted basic high school tax, except that the board in any county in which a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets for all high schools within the county shall levy such lesser number of mills.

"The levy in each county shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, and the tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected."

"No county levying less than the adjusted basic high school levy shall receive any apportionment of state equalization aid.

"(2) Mandatory high school levy. If the revenues for the operation and maintenance of any high school, including the amount apportionable from said basic high school tax, shall be less than the foundation program of such high school, it shall be the further duty of the board of county commissioners to fix and levy a tax, in such number of mills as will produce the remaining amount required by the foundation program of the high school, which tax shall, in the case of a county high school not located within a building district, be levied upon all property in the county, excepting the property of any district supporting a district high

school, and shall, in the case of a county high school located within a high school building district, be levied upon all property in such building district and which tax shall, in the case of a district high school not located within a building district, be levied upon all property within the school district, and shall, in the case of a district high school located within a building district, be levied upon all property in such building district."

(3) "Permissive high school levy." If the revenues for the operation and maintenance of any high school, including the amount apportionable from said "basic high school tax, and the amount, if any, produced by said mandatory high school tax" [ten (10) mill special tax for high schools] shall be less than the foundation program of such high school and the approved additions thereto included in its budget, within the limitation hereinbefore specified, it shall be the further duty of the board of county commissioners to fix and levy a tax, in such number of mills as will produce the amount shown by the final budget to be raised by tax levy plus federal reimbursements in lieu of taxes, which tax shall, in the case of a county high school not located within a building district, be levied upon all property in the county, excepting the property of any district supporting a district high school, and shall, in the case of a county high school located within a high school building district, be levied upon all property in such building district and which tax shall, in the case of a district high school not located within a building district, be levied upon all property within the school district, and shall, in the case of a district high school located within a building district, be levied upon all property in such building district, provided, however, that such last mentioned additional tax shall not, in any event, [exceed ten (10) mills unless the excess above said ten mill limitation shall first have been authorized at an election held in accordance with the general school laws pertaining to the voting of additional levies, save and except that in any district wherein more than ten (10) mills is required to reach the permissive percentage limits, as set out in section 75-4518.1, above the foundation program, such increase above the ten (10) mill limit may be financed by federal reimbursements in lieu of taxes without a vote of the taxpayers up to the above mentioned percentage limits above the foundation program.] "be used to raise funds in excess of the maximum budgets as specified in section 75-4518.1 when considered with all other sources of revenue, unless approved by a vote of the taxpaying electors."

25. Amend Section 15, in line 26, page 33 of the original bill, being line 16, page 31 of the printed bill, by inserting between the words "amounts" and "to" the words "of state equalization aid".

26. Further amend Section 15, in line 27, page 33 of the original bill, being lines 17 and 18, page 31 of the printed bill, by striking the words "from the state public school equalization fund".

27. Further amend Section 15 by deleting all of lines 28 through 30, page 35 of the original bill and lines 1 through 5, page 36 of the original bill, being all of lines 69 through 75, page 33 of the printed bill, and inserting in lieu thereof the following:

"On or before January 1 of odd-numbered years, the state superintendent of public instruction shall transmit to the Legislative Assembly of the State of Montana a revised schedule for secondary schools in accordance with classifications by size as set forth in this section. This revised schedule will be based on the median general fund budgeted expenditures for the current year, by ascertaining the median of the general fund budgets for each classification of secondary schools, and the total number of pupils (ANB) for all schools in each classification, and by computing the revised schedule therefrom."

And as so amended, be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 100, respectfully report as follows: That Senate Bill No. 100 be concurred in.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be concurred in.

DYKSTRA, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 25, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 213—Introduced by Leuthold, et al.

House Bill No. 211—Introduced by Dykstra & Broeder.

House Bill No. 171—Introduced by East, et al.

House Bill No. 109—Introduced by Nichols, et al.

House Bill No. 65—Introduced by Goan, et al.

House Bill No. 225—Introduced by Blewett, et al.

House Bill No. 233—Introduced by Lucas, Tooke & Spilde.

House Bill No. 400—Introduced by Committee on Appropriations.

House Bill No. 316—Introduced by Reinecke & Leuthold.

House Bill No. 270—Introduced by Judge & Schye.

House Bill No. 251—Introduced by Leuthold, et al.

House Bill No. 402—Introduced by Adams & Bardanouve.

Sincerely,

TIM BABCOCK
Governor

February 25, 1963

Mr. Speaker:

I am directed by the Senate to return to the House, House Bill No. 275, introduced by Judge, et al, so that the Bill may be placed in proper form for further Senate consideration.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 61, introduced by Business & Industry Committee.

House Bill No. 142, introduced by Dyktsra, et al.

House Bill No. 326, introduced by Hibbard, et al.

House Bill No. 345, introduced by Regan, et al.

House Joint Resolution No. 9, introduced by Murray.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 20, introduced by Hibbard, Bardanouve, Blewett, Nichols.

House Bill No. 21, introduced by Hibbard, Bardanouve, Blewett, Nichols.

House Bill No. 107, introduced by Smiley, Leuthold, Rehberg, Hanks, Jensen.

House Bill No. 159, introduced by Pierce, O'Hair, Bailey.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on State Administration recommended that House Bill No. 355 be not concurred in but that Senate Substitute for House Bill No. 355 do pass, report adopted. House Bill No. 355 is herewith returned to the House.

I am further directed to inform you that House Bill No. 194 was recommended for indefinite postponement, report adopted. The Committee on Highway and Transportation recommended that House Joint Memorial No. 9 be not concurred in, report adopted. House Bill No. 194 and House Joint Memorial No. 9 are herewith returned to the House.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 25, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day appointed a Conference Committee of three to confer

with a previously appointed like Committee from the House, on Senate Amendments to House Bill No. 66.

Senator McKeon, Chairman

Senator Durkee

Senator Lehrkind

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

THIRD READING OF SENATE BILLS

Dykstra requested a Call of the House and there being sufficient seconds, the Speaker ordered a Call of the House. Progress having been shown, Dykstra moved that the Call of the House be dispensed with. Motion carried.

Motion was made by Bradford that Senate Bill No. 99 be taken from Third Reading and rereferred to the Committee on Judiciary. Motion failed to carry.

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Beam, Beck, Blewett, Boughton, Casey, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smith, Spilde, Swanz, Thompson, Tooke, Woodard, Wright, Mr. Speaker. Total 51.

Noes: Aasheim, Bailey, Baldwin, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Good, Hanks, Healy, Johnson, Judge, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer. Total 34.

Paired: Hawks, aye, Jensen, no; Broeder, aye, Harper, no; Deschamps, aye, Gill, no.

Absent or not voting: Crum. Total 1.

Excused: Bashor, Smiley. Total 2.

Senate Substitute for House Joint Memorial No. 6 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Raundal, Rearden, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Beam, Gill, Harper, O'Hair, Pierce. Total 5.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkens-tern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Gill. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Joint Resolution No. 6 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkens-tern, Flynn, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair., Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Garrison, Gill. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 196 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkens-tern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Gill. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis,

Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Goan, Wright. Total 2.

Absent or not voting: Aasheim, Gill. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Adams of Golden Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 57 be concurred in.

That Senate Joint Resolution No. 11 be concurred in.

That Senate Amendments to House Bill No. 312 be concurred in.

That Senate Joint Resolution No. 15 be concurred in.

That Senate Bill No. 117 be concurred in.

That Senate Bill No. 74 be concurred in.

That Senate Bill No. 73 be concurred in.

That Senate Bill No. 125 be concurred in.

That consideration of Senate Joint Resolution No. 13 be passed for the day.

That consideration of Senate Bill No. 146 be passed for the day.

That consideration of Senate Bill No. 20 be passed for this sitting.

That Senate Bill No. 100 be concurred in.

That Senate Bill No. 113 be concurred in.

That Senate Amendments to House Bill No. 20 be concurred in.

That Senate Amendments to House Bill No. 21 be concurred in.

That Senate Amendments to House Bill No. 107 be concurred in.

That Senate Amendments to House Bill No. 159 be concurred in.

ADAMS, Chairman

Report adopted.

February 26, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 22.

SELSTAD

I have examined House Bill No. 22 introduced by me and find the same to be correct.

HIBBARD

February 26, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 124, 252, 339, 203, 301, 100, 369, 152.

SELSTAD

I have examined House Bill No. 100 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 301 introduced by me and find the same to be correct.

KVAALEN

I have examined House Bill No. 203 introduced by me and find the same to be correct.

JUDGE

I have examined House Bill No. 252 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 369 introduced by me and find the same to be correct.

CRUM

I have examined House Bill No. 339 introduced by me and find the same to be correct.

CRUM

I have examined House Bill No. 152 introduced by me and find the same to be correct.

PIERCE

I have examined House Bill No. 124 introduced by me and find the same to be correct.

PIERCE

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 22, 124, 152, 339, 369, 252, 203, 301 and 100, Substitute Senate Bill No. 9, Senate Bills Nos. 112, 126, 162, 77, Senate Joint Resolution No. 8, Senate Bills Nos. 88, 104, 76, Senate Joint Memorial No. 7, Senate Bill No. 54, Senate Joint Resolution No. 16, and Senate Bills Nos. 160 and 105.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 8, respectfully report as follows: That Senate Bill No. 8 be not concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be not concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be amended as follows:

Amend Section 1, subsection (3) in line 4, page 6 of the original bill, being line 118, page 5 of the printed bill, by striking the word "shall" after the word "school" and inserting in lieu thereof the word "may".

And as amended, be concurred in.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be not concurred in.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration Substitute Senate Bill No. 120, respectfully report as follows: That Substitute Senate Bill No. 120 be concurred in.

SMITH, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration Substitute Senate Bill No. 40, respectfully report as follows: That Substitute Senate Bill No. 40 be not concurred in.

SMITH, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be amended as follows:

Amend the title in line 9 by placing a period (.) after the word "district" and striking the following words "in the year the federal census is taken."

Further amend Section 1 in line 26 and 27 of the original bill by deleting after the word "district", the words "as determined by the federal census next preceding";

Further amend Section 1 in lines 28, 29 and 30, page 1 of the original bill by striking the words "If the preceding federal census does not contain a tabulation of the population of a school district," and deleting in line 30 the word "the" before the word "county" and inserting in lieu thereof the word "The".

Further amend Section 1 in line 1 and 2 of page 2 of the original bill by adding a period (.) after the word "district" and striking the

following words "for the year in which the federal census was last taken", and inserting in lieu thereof the words "No school district shall be changed in classification more than once in any five- (5)- year period."

And as amended, be concurred in.

KVAALEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be concurred in.

KVAALEN, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was read:

House Resolution No. 9

Introduced by Beck, Schye, Lewis, Egan, Asbjornson, Stranahan, Cummings, Hemstad, Laas.

A resolution of the House of Representatives of the State of Montana; to the Honorable Tim Babcock, Governor of the State of Montana; to the Department of Agriculture, Labor and Industry; to the Commissioner of Agriculture, Labor and Industry; providing for a study by special committee of the House of Representatives of the State of Montana, to investigate the colonization of agricultural land by persons having no individual personal ownership or rights of property ownership in such lands, but constituting a society in which each member shares in a distribution of the profits or benefits from the colony according to his needs, and to provide for the report of said investigation by the committee appointed by the House of Representatives of the State of Montana for the use and guidance of the Thirty-ninth Legislative Assembly of the State of Montana; and to provide for a thorough study and recommendation of the economic feasibility of creating a communal property act relating to the agricultural use and zoning of agricultural areas which may be used for the creation or maintenance of communal colonies.

Motion was made by Beck for adoption of the Resolution. Motion carried.

Motion was made by Spahr that Senate Joint Resolution No. 13 be taken from General Orders and rereferred to the Committee on Townships and Counties. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Aahseim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstein, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thomp-

son, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: McNamer. Total 1.

Absent or not voting: Lund, Murray, Weeks. Total 3.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Joint Resolution No. 11 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Deschamps, Gill, Keller, Nelson, Northey. Total 5.

Absent or not voting: Lund, Murray. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Amendments to House Bill No. 312 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Shelden, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 75.

Noes: Bradford, Brenner, Deschamps, Goan, Harper, Haughey, Hemstad, Kvaalen, Rearden, Seymour, Spahr, Thompson, Zimmer. Total 13.

Absent or not voting: Lund, Murray. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Joint Resolution No. 15 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Boughton, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Haines, Hanks, Harper, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lucas, Lundgren, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Bardanouve, Bradford, Good, Healy, Keller, Lombardi, McNamer, Reinecke, Spahr, Tracy, Watt. Total 11.

Absent or not voting: Lund, Murray. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Luethold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Gill. Total 1.

Absent or not voting: Lund, Murray. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Egan, Flynn, Hanks, Stranahan. Total 4.

Absent or not voting: Murray. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Casey, Crum, Davis, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Gill, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 64.

Noes: Aasheim, Bradford, Brenner, Cummings, Egan, Eskildsen, Flynn, Good, Hanks, Harper, Healy, Johnson, Lewis, Lombardi, O'Hair, Osburnsen, Rosell, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt, Wayrynen, Zimmer. Total 25.

Absent or not voting: Murray. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cum-

mings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Gill, Goan, Good, Haines, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Flynn. Total 1.

Absent or not voting: Garrison, Haughey, Lucas, Murray. Total 4.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 84.

Noes: Harper, O'Hair, Slaby, Twedt, Zimmer. Total 5.

Absent or not voting: Murray. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Amendments to House Bill No. 20 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburn-

sen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Murray, Wright. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Amendments to House Bill No. 21 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Murray, Pierce. Total 2.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Amendments to House Bill No. 107 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Lund, Murray, Pierce, Rearden, Zimmer. Total 5.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

Senate Amendments to House Bill No. 159 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 70.

Noes: Beck, Boughton, Bradford, Brenner, Casey, Etchart, Goan, Hemstad, Keller, Lund, Nash, Rosell, Selstad, Smith, Stranahan, Woodard, Wright. Total 17.

Absent or not voting: Aasheim, Murray, Weeks. Total 3.

Excused: Bashor, Broeder, Hawks, Smiley. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Adams of Golden Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 20 be concurred in.

ADAMS, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 7. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Raundal, Schye. Total 2.

Absent or not voting: Eskildsen, Holtz, Weeks. Total 3.

Excused: Bashor, Broeder, Harper, Hawks, Smiley. Total 5.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday, February 27, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 27, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Broeder, Hawks and Smiley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

BLEWETT, Chairman

REPORTS OF STANDING COMMITTEES

February 26, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 416, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

February 27, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 417, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Substitute for Senate Substitute Bill No. 87, respectfully report as follows: That Senate Substitute for Senate Substitute Bill No. 87 be amended as follows:

By deleting lines 11 to 15 on page 3 of the original bill.

And as amended, be concurred in.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be amended as follows:

In subsection (5) of Section 3, page 4, lines 2 and 3 of the original bill, being page 4, lines 28 and 29 of the printed bill, by striking the words "competent conciliation counselor" and inserting in lieu thereof the words "pastor or director of any religious denomination to which the parties may belong, psychiatrist, physician, attorney, social worker, or other person who is competent and qualified by training and experience in personal counselling. Such person shall be referred to herein as the conciliation counselor."

Be further amended on line 16, page 4 of the original bill, being line 42, page 5 of the printed bill following the word "request" by striking the "," and inserting the words "and with the consent of both parties,"

And be further amended on lines 28 and 29, page 4 of the original bill, being lines 51 and 52, page 5 of the printed bill, by striking the words "counsel for one party may be excluded when the adverse party

is present." and inserting in lieu thereof the words "all counsel may be excluded."

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 80, respectfully report as follows: That Senate Bill No. 80 be amended as follows:

In the title, page 1, line 17, after the words "Marriage License;" by adding the words "Prohibiting Remarriage Within Six Months After Divorce;"

By striking in their entirety lines 22, 23, and 24, page 5 of the original bill, being lines 64 and 65, page 5 of the printed bill;

In Section 5, line 23, page 7, of the original bill, being line 1, page 7 of the printed bill by striking the word "person" and inserting in lieu thereof the words "Montana resident"

Be further amended by adding a new Section 11 following Section 10, page 11 of the original bill, being page 11 of the printed bill which shall read as follows:

"Section 11. It is unlawful for any person, who is a party to an action for divorce in any court in this state, or for any Montana resident who is a party to an action for divorce is granted, and the marriage of any six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void."

And be further amended by renumbering present Section 11 as Section 12.

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be amended as follows:

In lines 5, 6, and 7 of page 3 of the original bill, being lines 7, 8, and 9 of the printed bill, by striking the words "may resolve the question of paternity against such party or enforce its order if the rights of others and the interests of justice so require." and inserting in lieu thereof the words "or jury may consider such refusal together with other competent evidence admitted in the proceeding."

And beginning in line 19, page 4 of the original bill, being page 4 of the printed bill by striking in its entirety Section 13.

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 82, respectfully report as follows: That Senate Bill No. 82 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 85, respectfully report as follows: That Senate Bill No. 85 be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 95, respectfully report as follows: That Senate Bill No. 95 be amended as follows:

By deleting Section 7, lines 23 through 29 on page 3 of the original bill as follows: "Section 7. The council may receive on behalf of the state any grant from the federal government or any grant or gift from any other source and accept the same, so that the title shall pass to the state. All grants, grants-in-aid, or gifts shall be deposited with the state treasurer and shall be continuously available to the council to carry out the purposes of this act."

And as so amended, be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135 be amended as follows:

In Section 1, lines 45 and 46 of page 3 of the printed bill following the words "the" strike out the word "maintenance" and insert in lieu thereof the word "erection."

In Section 1, line 51 of page 3 of the printed bill following the word "for" strike out the words "maintenance or".

In Section 1, line 58 of page 3 of the printed bill, following the word "be" strike out the words "furnished, repaired or".

In Section 1, line 60 of page 3 of the printed bill following the word "when" strike out the words "the need for".

In Section 1, line 61 of page 3 of the printed bill following the word "the" and before the word "public" insert the word "state".

And as so amended, be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be amended as follows:

In line 36 of page 3 of the printed bill by striking out following the word "of" the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "five dollars (\$5.00)."

In line 13 of page 3 of the printed bill by striking out following the word "of" the words and figures "fifteen dollars (\$15.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)."

And as so amended, be concurred in.

KELLER, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 26, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 58 — Introduced by Dykstra, Regan & Hibbard.

House Bill No. 141 — Introduced by Swanz, Weeks, Smiley, Aasheim.

House Bill No. 226 — Introduced by Kvaalen.

House Bill No. 246 — Introduced by Kvaalen.

House Bill No. 247 — Introduced by Committee on Ways and Means.

House Bill No. 259 — Introduced by Mathers.

House Bill No. 261 — Introduced by Lucas and Dykstra.

House Joint Resolution No. 6 — Introduced by Dykstra, et al.

Sincerely,

TIM BABCOCK,
Governor

February 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by Committee reports, reports adopted, and the same are herewith returned to the House:

House Bill No. 176 introduced by Lucas, Etchart, Wayrynen, Asbjornson.

House Bill No. 324 introduced by Leuthold, Stranahan, Deschamps, Hazelbaker.

House Bill No. 349 introduced by Tracy and Healy.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that Senate Bill No. 5 be taken from the Committee on Judiciary and rereferred to the Committee on Appropriations. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 419, introduced by Mathers, Eskildsen, Laas: A Bill for an Act Entitled: "An Act to Appropriate Money to Certain State Agencies for Operation, Capital, Grants and Benefits for the Biennium Ending June 30, 1965."

Without objection, the House reverted to Order of Business No. 3.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be not concurred in.

JENSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be amended as follows:

That the following be added to the title of the act, in line 9 of the original bill, after the word "month":

"and to compute longevity on such minimum wage."

That the following words appearing in line 30, page 1, and in lines 1, 2, 3, 4, 5, and 6 on page 2 of the original bill, being in lines 16, 17, 18, 19, 20, and 21, page 2 of the printed bill, be stricken:

"provided that a member of a police department of a city of the first or second class with more than one (1) year of service on the effective date of this act shall have added to his then current salary longevity at the rate of one per cent (1%) of the increase in the minimum base monthly salary for the number of years of prior service,"

That in line 7, page 2 of the original bill, being line 21, page 2 of the printed bill, the word "act" be stricken and the word "section" inserted in lieu thereof.

That in line 7, page 2 of the original bill, being line 21, page 2 of the printed bill, the word "solely" be stricken.

Be further amended as follows:

That the following section be added to said bill:

"Section 2. That a member of a police department of a city of the first or second class with more than one year of service on the effective date of this act shall have added to his then current salary longevity at the rate of one per centum (1%) of the increase in the minimum base monthly salary for the number of years of prior service."

And as amended, be concurred in.

JENSEN, Chairman

Lucas moved for adoption of the committee report.

Substitute motion was made by Beam that further consideration of Senate Bill No. 130 be indefinitely postponed. Substitute motion carried.

MOTIONS AND RESOLUTIONS

Blewett, having voted on the prevailing side, moved that the House reconsider its action in indefinitely postponing further consideration of Senate Bill No. 130.

Substitute motion was made by Haughey that the motion by Blewett that the House reconsider its action in indefinitely postponing further consideration of Senate Bill No. 130 be laid on the table.

Eskildsen requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. Roll call vote was taken, and the substitute motion carried by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Basher, Beam, Blewett, Boughton, Casey, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Laas, Leuthold, Lund, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schye, Selstad, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 54.

Noes: Aasheim, Bardanouve, Beck, Bradford, Brenner, Cummings, Davis, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Lewis, Lombardi, Lucas, Lundgren, Mathers, Murray, O'Hair, Osburnsen, Rearden, Regan, Schepens, Seymour, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 36.

Absent or not voting: Crum. Total 1.

Excused: Broeder, Hawks, Smiley. Total 3.

February 27, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 418, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the following rules: First—each speaker upon a motion to be limited to five minutes; second—no member to speak more than once on a motion, except the maker of the motion who shall have an extra five minutes to close the debate. Motion carried.

Bradford of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 146 be amended in Section 1 by striking out in lines 17 through 20, page 2 of the original bill, being lines 30 through 32, page 2 of the printed bill, after the word "made", the semicolon (;) and the words: "provided, that the Governor shall nominate and transmit to the State Senate the names of the said two additional members of said Board, on or before March 1, 1963.";

And as amended, be concurred in.

That Senate Bill No. 149 be amended in the title by striking out in line 7 of the original bill, being line 4 of the printed bill, the word "Shall" and inserting in lieu thereof the word "May";

And as amended, be concurred in.

That Substitute Senate Bill No. 120 be concurred in.

That Senate Bill No. 134 be concurred in.

That Senate Bill No. 204 be concurred in.

That the Committee rise and report.

BRADFORD, Chairman

Report adopted.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker appointed the following five member committee as provided in House Resolution No. 9: Schye, Asbjornsen, Hemstad, Laas, Stranahan.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be not concurred in.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be not concurred in.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be concurred in.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be concurred in.

SCHYE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 101, respectfully report as follows: That Senate Bill No. 101 be concurred in.

SCHYE, Chairman

Motion was made by Schye for adoption of the committee report.

Substitute motion was made by Spahr that Senate Bill No. 101 be referred to the Committee on Appropriations. Substitute motion carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 197, respectfully report as follows: That Senate Bill No. 197 be not concurred in.

ADAMS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that Substitute House Bill No. 52 be taken from the Committee on Judiciary and placed on General Orders.

Haughey requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. Roll call vote was taken, and the motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Jenkins, Johnson, Judge, Laas, Lewis, Lombardi, Murray, O'Hair, Osburnsen, Raundal, Rearden, Rosell, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer. Total 40.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Schye, Selstad, Seymour, Smith, Spilde, Swanz, Thompson, Tooke, Woodard, Mr. Speaker. Total 48.

Absent or not voting: Nichols, Turnage. Total 2.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Motion was made by Blewett that House Bill No. 81 be taken from the Conference Committee and placed on General Orders. Motion carried.

Motion was made by Blewett that the Conference Committee heretofore appointed to meet with a like committee from the Senate on House Bill No. 81 and the Senate amendments thereto be dissolved. Motion carried.

Motion was made by Keller that Senate Bill No. 30 be taken from the Committee on Public Health, Welfare and Safety and rereferred to the Committee on Appropriations. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 10

Introduced by Bardanouve

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE LEGISLATIVE COUNCIL STUDY THE OPERATIONS, PERSONNEL SYSTEM, AND ADMINISTRATION OF THE MONTANA LIQUOR CONTROL ACT AND SUBMIT A WRITTEN REPORT OF ITS FINDINGS TO THE THIRTY-NINTH LEGISLATIVE ASSEMBLY.

WHEREAS, the State Liquor Control Act of Montana has remained in effect for thirty years without substantial changes in the policy or operation of the act, and

WHEREAS, the state liquor monopoly has operated for many years with little control or supervision by the legislature, and

WHEREAS, a controversial measure was introduced during the Thirty-eighth Legislative Assembly which proposed to change the methods by which manufacturers could promote their wares in Montana, and

WHEREAS, several bills to increase salaries of employees of the Liquor Control Board were introduced in the Thirty-eighth Legislative Assembly, and

WHEREAS, it is imperative that the Legislature have additional information on the operations of the Liquor Control Board in order that fair and equitable compensation for employees may be determined, and

WHEREAS, during the operation of the liquor monopoly, the State of Montana has realized a total net income from this control of liquor in excess of one hundred thirty-two million dollars, and

WHEREAS, the control of liquor contributes a substantial amount of revenue to the State of Montana thus replacing revenue which would otherwise have to be raised through increased taxation, and

WHEREAS, an examination of the administration of the liquor control monopoly might result in more efficient operation of this state agency, and

WHEREAS, because the Legislative Assembly is responsible for providing the revenues necessary to maintain state government, it is particularly incumbent upon this body to carefully examine all state programs with a view toward making their operation more efficient, and

WHEREAS, at the present time almost all employees of the Liquor Control Board are political appointees, a situation which mitigates against obtaining skilled personnel because of the uncertain tenure, and

WHEREAS, political appointment might result in the state being forced to pay higher salaries if qualified persons are to be obtained because of the possibility of discharge upon a change in political administration, and it also violates a principle of good government that persons below the policy making level should not be political, and

WHEREAS, a comprehensive examination of the operations, personnel system, and administration of the liquor control act might result in recommendations which would provide substantial savings to the taxpayers of the state through more efficient operation, and

WHEREAS, although the Legislative Assembly can delegate its authority to an administrative board, the responsibility for the actions of that board must ultimately rest upon the Legislature, and the Legislature would be derelict in its duty to the people if it did not periodically examine all administrative boards and particularly those who handle large amounts of public funds.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council is hereby requested to conduct a comprehensive study of the operations, personnel system, and administration of the Montana Liquor Control Act and submit a written report of its findings, together with any suggestions for improvements, to the Thirty-ninth Legislative Assembly.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is instructed to send copies of this resolution to the Montana Liquor Control Board and to the Executive Director of the Legislative Council.

Motion was made by Bardanouve for adoption of the resolution. Motion carried.

February 27, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 223, 276, 60, 164, 300, 93, House Joint Memorial No. 5 and Senate Substitute for House Bill No. 26.

SELSTAD

I have examined House Bill No. 93 introduced by me and find the same to be correct.

KELLER

I have examined House Bill No. 276 introduced by me and find the same to be correct.

LUND

I have examined House Bill No. 164 introduced by me and find the same to be correct.

JOHNSON

I have examined Senate Substitute for House Bill No. 26 introduced by Committee on Judiciary and find the same to be correct.

HAUGHEY

I have examined House Bill No. 60 introduced by me and find the same to be correct.

LUCAS

I have examined House Joint Memorial No. 5 introduced by me and find the same to be correct.

HAINES

I have examined House Bill No. 300 introduced by me and find the same to be correct.

JUDGE

I have examined House Bill No. 223 introduced by me and find the same to be correct.

McNAMER

February 27, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 9, House Bills Nos. 61, 142, 54 and 385.

SELSTAD

I have examined House Joint Resolution No. 9 introduced by me and find the same to be correct.

MURRAY

I have examined House Bill No. 61 introduced by Committee on Business and Industry and find the same to be correct.

DYKSTRA

I have examined House Bill No. 142 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 385 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 54 introduced by me and find the same to be correct.

NASH

The speaker signed the following in open session, the titles having first been read: House Joint Memorial No. 5, House Bills Nos. 93, 276, 164, 61, Senate Substitute for House Bill No. 26, House Bills Nos. 60, 300, 22, 385, 142, 54 and House Joint Resolution No. 9.

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be not concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be amended as follows:

Amend Section 3, lines 19 through 21, page 2 of the original bill, following the word "year" by striking the words "of the question whether the county high school of the county shall be abolished." and inserting a period following the word "year."

Further amend Section 4, lines 3 through 5, page 3 of the original bill following the word "published" by striking the words and punctuation "and that the question of abolishing the county high school in the county will be submitted at the ensuing general election."

Further amend Section 5, lines 25 through 27, page 3 of the original bill by striking the words and punctuation "The votes for or against the abolishment of the county high school shall be cast by ballot which shall be in substantially the following form:"

Further amend Section 5, lines 19 and 20, page 4 of the original bill by striking the words "abolishing the county high school".

Further amend Section 5, lines 25 and 26, page 4 of the original bill by striking the words "abolishment of the county high school".

Further amend Section 5, line 30, page 4 of the original bill, following the word "cast" by inserting the word "shall".

Further amend Section 7, line 10, page 6 of the original bill by striking the words "four years".

Further amend Section 7, line 15, page 6 of the original bill by striking the words "four years".

Be further amended in Section 13, page 11, line 15 of the original bill by deleting the word "transportation".

Be further amended in Section 13, page 11, lines 21 through 30, by deleting the words: "that the transportation and payment of tuition, or the payment of board, room and tuition for the high school students of the district for the purpose of attending a high school in another district, shall be in lieu and the equivalent of establishing a high school and making

the necessary provisions for its quarters, equipment, and teaching force, provided further that the total amount of transportation paid to any high school student from all sources shall not exceed the maximum amount as stipulated in section 1010 of the Revised Codes of Montana, 1935."

Be further amended in Section 13, page 12, line 1 of the original bill by striking the word "If" and inserting in lieu thereof the word "if".

And as amended, be concurred in.

KVAALLEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be not concurred in.

WEEKS, Chairman

Weeks moved for adoption of the committee report.

Substitute motion was made by Johnson that Senate Bill No. 139 be placed on General Orders. Johnson requested a roll call vote with the results thereof to be spread on the Journal, and sufficient seconds arose. Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Flynn, Gill, Good, Hanks, Harper, Healy, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 33.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Boughton, Casey, Crum, Deschamps, Etchart, Falkenstern, Garrison, Goan, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 51.

Absent or not voting: Beck, Blewett, Dykstra, Eskildsen, Haines, Murray. Total 6.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Original motion by Weeks carried. Report adopted.

MESSAGES FROM THE SENATE

February 27, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 387 introduced by Keller, Swanz.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House request the Senate to return to the House Senate Bill No. 8. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 420, introduced by Bashor, Beck: A bill for an act entitled: "An act to appropriate money for the Interim Committee created by the House of Representatives of the State of Montana to study and make recommendations as to the economic feasibility of creating a communal property act relating to the agricultural use and zoning of agricultural areas."

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garri-son, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, Mathers, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 78.

Noes: Adams, Boughton, Keller, Kvaalen, Leuthold, Raundal, Selstad. Total 7.

Absent or not voting: Lundgren, McNamer, Murray, Wayrynen, Weeks. Total 5.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Senate Bill No. 149 was not concurred in by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Nichols, Northey, O'Hair, Raundal, Schepens, Shelden, Slaby, Spahr, Stranahan, Tracy, Twedt, Watt, Welch, Zimmer. Total 35.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Deschamps, Dykstra, Etchart, Falkenstern, Garri-son, Goan, Haines, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, Nash, Nelson, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smith, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 52.

Absent or not voting: McNamer, Murray, Wayrynen. Total 3.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Substitute Senate Bill No. 120 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Casey, Crum, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Goan, Good, Haines, Hanks, Harper, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Leu-thold, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey,

Nutting, O'Hair, Osburnsen, Pierce, Rehberg, Reinecke, Schye, Selstad, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 65.

Noes: Aasheim, Bradford, Brenner, Cummings, Garrison, Gill, Healy, Johnson, Keller, Kvaalen, Laas, Lewis, Lombardi, Murray, Raundal, Rearden, Regan, Rosell, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt. Total 24.

Absent or not voting: Lundgren. Total 1.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 85.

Noes: Bashor, Keller, Weeks. Total 3.

Absent or not voting: Beam, Boughton. Total 2.

Excused: Broeder, East, Hawks, Smiley. Total 4.

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Crum, Cummings, Davis, Dykstra, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Adams, Beck, Casey, Deschamps, Etchart, Haines, Hemstad, Murray, Nash, Northey, Reinecke, Rosell, Smith, Spilde, Weeks, Wright. Total 16.

Absent or not voting: None.

Excused: Broeder, East, Hawks, Smiley. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Bradford of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bills Nos. 80 and 81 be placed on the calendar for consideration before Senate Bill No. 82 and that Senate Bill No. 107 be placed on the calendar for consideration after Senate Bill No. 85.

That Senate Bill No. 80 be concurred in.

That further consideration of Senate Bill No. 81 be passed for the day.

That Senate Bill No. 82 be concurred in.

That Senate Bill No. 83 be concurred in.

That Senate Bill No. 84 be concurred in.

That Senate Bill No. 85 be concurred in.

That the Committee rise and report.

BRADFORD, Chairman

Report adopted.

Motion was made by Dykstra that the House adjourn until 10:00 a.m., Thursday, February 28, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 28, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.

BLEWETT, Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 216, respectfully report as follows: That Senate Bill No. 216 be not concurred in.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 167, respectfully report as follows: That Senate Bill No. 167 be not concurred in.

DYKSTRA, Chairman

Dykstra moved for adoption of the committee report.

Substitute motion was made by Harper that Senate Bill No. 167 be placed on General Orders.

Flynn requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Bardanouve, Beck, Bradford, Davis, East, Eskildsen, Flynn, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer. Total 29.

Noes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, Dykstra, Egan, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Woodard, Wright, Mr. Speaker. Total 60.

Absent or not voting: Aasheim, Brenner, Cummings, Gill, Murray. Total 5.

Excused: None.

Original motion by Dykstra carried. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be amended as follows:

Amend Section 23, page 15, line 3 of the original bill, being Section 23, page 16, line 25 of the printed bill by striking the figure "28" and inserting in lieu thereof the figure "26".

Further amend Section 23, page 17, line 25 of the original bill, being Section 23, page 18, line 97 of the printed bill by striking the word "each" and inserting in lieu thereof the word "the".

Further amend Section 23, page 17, line 26 of the original bill, being Section 23, page 18, line 98 of the printed bill by striking the words "or branch".

Further amend Section 23, page 20 of the original bill, being Section 23, page 20 of the printed bill by striking in its entirety subsection (7) and by renumbering paragraphs (8) and (9) as paragraphs (7) and (8) respectively.

And as amended, be concurred in.

DYKSTRA, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be amended as follows:

Amend Section 1, subsection (a), line 10, page 4A of the original bill, being line 94, page 5 of the printed bill, by striking the words and figures "five (5)" and inserting in lieu thereof the words and figures "fifteen (15)";

Further amend Section 1, subsection (a), line 20, page 5 of the original bill, being line 134, page 6 of the printed bill, by striking the words and figures "five (5)" and inserting in lieu thereof the following words and figures: "fifteen (15)".

And as so amended, be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 157, respectfully report as follows: That Senate Bill No. 157 be not concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 143, respectfully report as follows: That Senate Bill No. 143 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 144, respectfully report as follows: That Senate Bill No. 144 be concurred in.

BROEDER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 179, respectfully report as follows: That Senate Bill No. 179 be amended as follows:

Amend Section 3, line 21, page 1 of the original bill, being Section 3, line 3, page 1 of the printed bill, by deleting the number "5" and inserting in lieu thereof the number "4";

Further amend Section 3, line 24, page 1 of the original bill, being line 6, page 2, Section 3 of the printed bill, after the words "require by rule or order" by striking the period and adding the following: "and submit, if required, to such examination as may be provided by the court.";

Amend Section 4, by deleting in its entirety, lines 25 to 32 inclusive, page 1, and lines 1 to 4 inclusive, page 2 of the original bill, being Section 4, lines 1 through 12 inclusive of the printed bill; and by renumbering Sections 5, 6 and 7 as Sections "4", "5", and "6" respectively.

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be amended as follows:

Amend Section 3, line 13, page 3 of the original bill, being Section 3, line 12, page 3 of the printed bill after the words "have been guilty of fraud or" by adding the word "gross";

Amend Section 7, line 19, page 4 of the original bill, being line 9, page 5 of the printed bill, by inserting after the words "trial and" the following: ", if required by the court, by"; and by deleting in line 21, page 4 of the original bill, being lines 11 and 12, page 5 of the printed bill, the words "and to assure the payment for such shares";

Amend Section 10 by deleting all of lines 18 through 24 of the original bill, being lines 4 through 9, page 6 of the printed bill and inserting in lieu thereof the following:

"15-1127. Within 60 days after receiving notice of the award, the stockholders electing to purchase plaintiff's stock shall file such notice of election. Payment shall be made in cash or upon such contractual terms as may be ordered or approved by the court. If the purchasers electing to purchase plaintiff's stock shall refuse to enter into a contract containing terms ordered by the court, which contract has been approved by the court, or shall fail to deposit the amount of the award with the clerk of court within such period, a decree shall forthwith be entered winding up and dissolving such corporation. If the plaintiff shall refuse to enter into such contract, a decree shall be entered dismissing the action. The decree may be appealed from as a final judgment.

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

February 27, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 175, 195, 8, 45, 224, 88, 100, 301, 203, 252, 369, 339, 152, 124, 348, 150, 19 and 22, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:10 o'clock, p.m., delivered to the Governor for his approval.

MURRAY, Chairman

MESSAGES FROM THE SENATE

February 27, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by Committee reports, reports adopted, and the same are herewith returned to the House:

House Bill No. 384 introduced by Keller and Swanz.

House Bill No. 386 introduced by McNamer and Turnage.

I am further directed to inform you that House Substitute for House Bill No. 206 was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

Substitute House Bill No. 139 introduced by Committee on State Administration.

House Bill No. 210 introduced by Seymour, Lewis, Swanz.

House Bill No. 254 introduced by Northey, Deschamps, Hemstad.

House Bill No. 283 introduced by Tooke, Mathers.

Substitute House Bill No. 295 introduced by State Administration Committee.

House Bill No. 328 introduced by McNamer, et al.

House Bill No. 332 introduced by McNamer, et al.

House Joint Resolution No. 14 introduced by Haines, Bardanouve.

House Joint Resolution No. 17 introduced by Holtz, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by Committee reports, reports adopted, and the same are herewith returned to the House:

House Bill No. 120 introduced by Leuthold and Adams.

House Bill No. 143 introduced by Jensen, et al.

House Bill No. 144 introduced by Jensen, et al.

I am further directed to inform you that House Bill No. 96 was this day recommended for indefinite postponement, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 56 introduced by Crum and Bashor.

House Bill No. 137 introduced by Haines and Spahr.

House Bill No. 338 introduced by Bashor and Regan.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 116 introduced by Broeder.

House Bill No. 125 introduced by Hazelbaker, Dykstra.

House Bill No. 151 introduced by Judiciary Committee.

House Bill No. 179 introduced by Keller, Crum, Healy, Lombardi.

House Bill No. 182 introduced by Watt, Flynn, Deschamps, Northey, Haines, Beck.

House Bill No. 221 introduced by Smith, Woodard, Rosell, Eskildsen, Rehberg.

House Bill No. 239 introduced by Schye, Swanz.

House Bill No. 249 introduced by Regan, Broeder.

House Joint Memorial No. 11 introduced by Nichols, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 26, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 217 introduced by Bradford and Dykstra.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 144 by Jensen, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Jensen that the House accede to the request of the Senate and return House Bill No. 144 to the Senate. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 11

Introduced by Wayrynen, Judge

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES HAVING FOR ITS OBJECT THE PROVIDING OF MORE EXTENSIVE AND MORE GENERALLY AVAILABLE FREE EDUCATION TO RETIRED AND AGED PERSONS OF THE STATE OF MONTANA, AND FOR SUCH FACILITIES TO BE AVAILABLE DURING THE DAYLIGHT HOURS FOR THE GREATER CONVENIENCE AND SAFETY IN TRAVEL OF SUCH PERSONS; AND THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE HONORABLE TIM BABCOCK, GOVERNOR OF THE STATE OF MONTANA, AND TO THE MONTANA BOARD OF EDUCATION.

WHEREAS, it seems proper that consideration should be given to matters that will improve the minds and well-being of our fellow citizens, not alone for those young in years, but also for those who, now retired, were not able to complete their education to their satisfaction; and

WHEREAS, it appears that retired and senior citizens have had long experience in and have served the greater part of their lives in productive activities and in these their later years appreciate more keenly the commendable desire of some of their members, as well as other retired aged persons, to complete their education and to develop further their latent talents and faculties, in view of the greater amount of free time on their hands; and

WHEREAS, being mindful that the true objective of life is preparation for the next world by serving our fellow man here, thus, a dual educational perspective, occupational and cultural, and that the only thing which we can take with us is our own soul development, an intellectual and a spiritual condition;

NOW, THEREFORE, IT IS HEREBY RESOLVED that it is the conviction of this legislative assembly that all those retired aged persons, citizens of Montana, desiring to do so, should be given the opportunity to complete their education, free, during daylight hours, in the educational institutions of Montana, in new or old fields, regardless of how little previous education they may have had and with the curricula so arranged to enable them to acquire sufficient credits towards the attainment of an academic or professional degree, and thus enable such aged persons to become thereby a greater asset to the society in which they find themselves, a better educated person, a process of continual unfoldment and development of his latent faculties and talents;

AND IT IS FURTHER RESOLVED that to assist such retired aged persons and others desiring higher education to attain this objective, that the teaching services and facilities of the university of Montana and its subsidiaries be extended and made more generally available throughout the state than exists at present, so that such persons may be enabled to earn sufficient credits for an academic or professional degree without the present rule requiring that they attend classes on the campus of the university of Montana or its subsidiaries, it now being impossible to acquire all the credits needed for such degrees by correspondence courses alone.

Motion was made by Wayrynen for adoption of the Resolution. Motion failed to carry.

The following Resolution was read:

HOUSE RESOLUTION NO. 12

Introduced by Blewett

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That Rule 34, "Form of Bills" on page 37 of the Rules of the House of Representatives be amended as follows:

By deleting all of the words in line 7, page 37, beginning with the word "All" and ending on page 38, line 2, with the words "(matter deleted)". and inserting in lieu thereof:

"Bills, joint resolutions and joint memorials introduced shall be typewritten on paper eight and one-half by thirteen inches with numbered lines, and shall be in quadruplicate. Pica or elite type and a good black ribbon must be used. All bills, joint resolutions and joint memorials introduced shall be numbered at the foot of each page and shall have white covers of a substantial material. Bills proposing amendments to

existing statutes shall indicate the matter to be stricken out with a line through the words or part to be deleted, and all new matter with underscoring of the part inserted."

Motion was made by Blewett for adoption of the Resolution. Motion carried.

Motion was made by Blewett that Senate Bill No. 83 be taken from Third Reading and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 421, introduced by Hibbard, Regan, Etchart: A Bill for An Act Entitled: "An Act to Appropriate Money to Montana State University, Montana School of Mines, Montana State College, the Agricultural Experiment Station, the Co-Operative Agricultural Extension Service, Northern Montana College, Western Montana College of Education, Eastern Montana College of Education, Western Interstate Commission for Higher Education, Office of Executive Secretary of University of Montana and the Board of Education for Operation and Capital for the Biennium Ending June 30, 1965." Referred to Committee on Appropriations.

House Bill No. 422, introduced by Committee on Appropriations: A Bill for An Act Entitled: "An Act Appropriating Money for the Purchase of Cumulative Pocket Supplements and Replacement Volume 6 of the Revised Code of Montana, 1947." Referred to Committee on Appropriations.

House Bill No. 423, introduced by Committee on Appropriations: A Bill for An Act Entitled: "An Act to Appropriate Money for Payment of Claims Relating to the Cost of Prisoner Extradition, Prisoner Transportation, State Insurance Premiums and the Commission for Uniform State Laws." Referred to Committee on Appropriations.

House Bill No. 424, introduced by Committee on Appropriations: A Bill for An Act Entitled: "An Act Appropriating Money for the Operation of the Thirty-eighth Legislative Assembly." Referred to Committee on Appropriations.

House Bill No. 425, introduced by Committee on Appropriations: A Bill for An Act Entitled: "An Act to Appropriate Money to Public Schools for the Biennium Ending June 30, 1965." Referred to Committee on Appropriations.

House Memorial No. 1, introduced by Rosell, Nash, Bradford, Hanks, Hibbard, Tracy, Haughey, Wayrynen: A Memorial of the House of Representatives of the State of Montana to the President of the United States; to the Postmaster General of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana Requesting the Postmaster General of the United States to Design, Print and Distribute a Stamp in Commemoration of the Montana Territorial Centennial and the One Hundredth Anniversary of the Birth of Charles M. Russell. Referred to Committee on Constitution, Elections and Federal Relations.

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Joint Resolution No. 13, respectfully

report as follows: That Senate Joint Resolution No. 13 be amended as follows:

Amend the title in line 5 of page 1 of the original bill following the word "to" by striking the word "equalize" and by striking line 6 in its entirety and inserting in lieu thereof the following: "Study the Problem of Concentrations of State Land in Various Counties and Recommend a Corrective Plan to the 39th Legislative Assembly."

Further amend by striking lines 20 through 31 on page 1 of the original bill and inserting in lieu thereof the following: "directed to study the problem of unusual concentration of state owned land in certain counties, and to devise and recommend to the 39th Legislative Assembly an appropriate and feasible plan directed toward correcting the abnormal distribution of state owned land among counties."

And, as amended, be concurred in.

ADAMS, Chairman

Report adopted.

Mr. Speaker: We, your Majority of your Committee on Ways and Means, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be not concurred in.

SCHYE, Chairman
CRUM
FALKENSTERN
KVAALEN
REHBERG
SPAHR
SWANZ
WEEKS

Motion was made by Crum for adoption of the majority committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be amended as follows:

Amend on line 21, page 4 of the original bill, being line 81, page 4 of the printed bill, following the comma after the word "benefits" by inserting the following: "when said property is not used for income purposes, provided such retirement benefits shall not exceed two hundred dollars (\$200.00) per month, unless recipient is physically incapacitated or a widow with minor and/or dependent children, and";

Further amend on line 23, page 4 of the original bill, being line 82, page 4 of the printed bill, following the word "benefits" by striking the words "and who does", and inserting in lieu thereof the following: ", and when all who permanently reside in said property do."

And as amended, be concurred in.

DAVIS
HARPER
HEALY
STRANAHAN
TRACY

Substitute motion was made by Harper for adoption of the minority committee report. Davis requested a roll call vote with the results thereof to be spread on the Journal, and sufficient seconds arose.

After debate, Dykstra moved the previous question. Motion carried. Roll call vote was taken, and the substitute motion by Harper failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bradford, Brenner, Casey, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 33.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Crum, Deschamps, Dykstra, East, Etchart, Falkenstein, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Weeks, Woodward, Wright, Mr. Speaker. Total 59.

Absent or not voting: Raundal, Turnage. Total 2.

Excused: None.

After debate, Nichols moved the previous question. Motion carried. Original motion by Crum carried. Majority committee report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be amended as follows:

Amend the title in line 9, page 1 of the original bill by deleting the word ["where"] and inserting in lieu thereof the word "if," and by inserting in line 10, page 1 of the original bill after the words "are available" the words "and if the lowest bid of a Montana resident responsible bidder is not more than 2% higher than the lowest bid of a non-resident";

Further amend in Section 1 on line 23, page 1, of the original bill being line 9, page 1 of the printed bill following the word "bidder" by inserting the phrase "if his bid is not more than 2% higher than the bid of the lowest bidder who is a non-resident of this state".

And as so amended, be concurred in.

WEEKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 be amended as follows:

Amend Section 3, line 27 on page 7 of the original bill by striking the figures "\$726,155." and "\$726,975." and inserting in lieu thereof the figures "\$705,000." and "\$690,000."

Further amend on page 15 between lines 30 and 31 by inserting the following subsection:

“(4) From the earmarked revenue fund, state aviation account (formerly fund #188) for aviation education	\$44,000. \$44,000.”
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And as so amended, do pass.

HAWKS, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

Motion was made by Blewett that consideration of Third Reading of Senate Bills be passed for this sitting. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of General Orders be passed for this sitting. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be not concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 165, respectfully report as follows: That Senate Bill No. 165 be amended as follows:

Amend the title in line 6, page 1 of the original bill after the word "insured" by adding the following: ", Prohibiting the Suggestion of Insurance Coverage in Actions Against Public Bodies, and Providing for the Reduction of Awards to Policy Limits Where Sovereign Immunity Defense Could Have Been Successfully Raised."

Amend Section 1, in lines 16, 17, and 18, page 1 of the original bill by deleting the following matter: "(except that the insured shall raise such defense as to any claim not covered by, or in excess of, the insurance extended)";

Further amend Section 1 in line 23, page 1 of the original bill, being line 9, page 1 of the printed bill by inserting the following: "No attempt shall be made in the trial of an action brought against such political subdivision of the state, municipality, or any public body, corporation, commission, board, agency, organization, or other public entity, to suggest the existence of any insurance which covers in whole or in part any judgment or award which may be rendered in favor of plaintiff. If the court shall determine that the defendant could have successfully raised the defense of sovereign or governmental immunity, and if the verdict exceeds the limits of the applicable insurance, the court shall reduce the amount of such judgment or award to a sum equal to the applicable limit stated in the policy."

And as so amended, be concurred in.

HAUGHEY, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 28, 1963

Mr. Speaker:

In compliance with your request, we are herewith returning to the House, for further consideration, Senate Bill No. 8 introduced by Melcher, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non concurrence by Committee reports, reports adopted, and the same are herewith returned to the House:

Substitute House Bill No. 16 introduced by Committee on Judiciary.

House Bill No. 49 introduced by Leuthold, Jensen, Turnage.

House Bill No. 163 introduced by Schye and Broeder.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Goan, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 8. Motion carried.

Motion was made by Goan that Senate Bill No. 8 be referred to the Committee on State Administration. Motion carried.

Motion was made by Keller that Senate Bill No. 33 be taken from General Orders and rereferred to the Committee on Public Health, Welfare and Safety. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 80 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Mr. Speaker. Total 73.

Noes: Boughton, Garrison, Goan, Haines, Lucas, Mathers, Murray, Rosell, Smith, Stranahan, Thompson, Woodard, Wright, Zimmer. Total 14.

Absent or not voting: Aasheim, Bardanouve, Bashor, Crum, Eskildsen, Kvaalen, Tookey. Total 7.

Excused: None.

Senate Bill No. 82 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen,

Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bashor, Garrison, Goan, Nash, Smith, Woodard. Total 6.

Absent or not voting: Kvaalen, Tooke. Total 2.

Excused: None.

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Murray, Nelson, Nichols, Northey, O'Hair, Pierce, Raundal, Rearden, Regan, Reinecke, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 80.

Noes: Boughton, Goan, Haines, Lucas, Mathers, Nash, Nutting, Osburnsen, Rehberg, Rosell, Smith, Woodard, Wright. Total 13.

Absent or not voting: Tooke. Total 1.

Excused: None.

Senate Bill No. 85 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Zimmer, Mr. Speaker. Total 82.

Noes: Adams, Blewett, Boughton, Eskildsen, Garrison, Murray, Nutting, Smith, Wayrynen, Woodard, Wright. Total 11.

Absent or not voting: Tooke. Total 1.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Haughey of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bills Nos. 81 and 83 be passed for the day.

That Senate Bill No. 107 be concurred in.

That Senate Bill No. 56 be concurred in.

That Senate Substitute for Senate Substitute Bill No. 87 be concurred in.

That Senate Bill No. 95 be amended in the title by striking out in lines 6 and 7 of the original bill, being lines 3 and 4 of the printed bill, the following: “; authorizing the acceptance of grants and gifts.” and inserting in lieu thereof a “period (.)” and “quotation mark (”);

And as amended, be concurred in.

That Senate Bill No. 135 be concurred in.

That Senate Bill No. 92 be concurred in.

That Senate Bill No. 103 be concurred in.

That Senate Bill No. 102 be concurred in.

That Senate Amendments to House Bill No. 81 be not concurred in and that the Speaker appoint a Conference Committee of three to confer with a like committee from the Senate.

That Substitute House Bill No. 416 do pass.

That consideration of House Bill No. 417 be passed for the day.

That House Bill No. 418 be amended in Section 3 by striking out in line 7, page 4 of the original bill, being line 36, page 4 of the printed bill, the figures “\$2,875.00—\$2,875.00” and inserting in lieu thereof the figures “\$5,250.00—\$5,250.00”;

Be further amended in Section 3 by striking out in line 13, page 4 of the original bill, being line 40, page 4 of the printed bill, the figures “\$2,183.00—\$2,183.00” and inserting in lieu thereof the figures “\$3,000.00—\$3,000.00”;

And as amended, do pass.

That Senate Bill No. 148 be concurred in.

HAUGHEY, Chairman

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be amended as follows:

Amend the title in line 16, page 1 of the original bill, being line 17 of the title in the printed bill, by deleting the figures “80-322,”; and deleting the figures “38-702” in line 18, page 1 of the original bill, being line 18 of the title of the printed bill.

Further amend the title in line 29, page 1 of the original bill, being lines 8 and 9 of the title, page 2 of the printed bill, by inserting between the figures “80-321,” and “38-103,” the figures “80 322,”;

Further amend the title in line 30, page 1 of the original bill, being line 9 of the title on page 2 of the printed bill, by inserting between the figures “38-111,” and “38-901,” the figures “38-702,”;

Amend Section 1 in line 18, page 2 of the original bill, being line 7, page 2 of the printed bill, by inserting between the words "limited" and "capacity" the word "mental";

Amend Section 3, in line 5, page 3 of the original bill, being line 6, page 3 of the printed bill, by deleting the words "State soldiers home" and inserting in lieu thereof the words "Montana veterans' home";

Further amend Section 3, in line 9, page 3 of the original bill, being line 10, page 3 of the printed bill, by deleting the words "Home for senile men and women" and inserting in lieu thereof the words "Montana center for the aged";

Amend Section 4, in line 16, page 3 of the original bill, being line 3 of section 4, page 3 of the printed bill, by changing the period to a comma and adding the following words: "and shall appoint the necessary employees for the department office and fix their compensation";

Further amend Section 4, in lines 19, 20 and 21, page 3 of the original bill, being lines 6, 7 and 8, page 4 of the printed bill, by deleting the following sentence: "Insofar as possible, the board shall give preference to a citizen of the state of Montana in the appointment of the director";

Amend Section 5, in lines 4, 5, 6 and 7, page 4 of the original bill, being lines 11, 12, 13 and 14, page 4 of the printed bill, by deleting the following: "nor in any way interfere with the rules and regulations promulgated by the warden of the Montana State Prison with respect to custody and release of the inmates at said institution";

Further amend Section 5 in lines 10 and 11, page 4 of the original bill, being lines 17 and 18, page 4 of the printed bill, by deleting subsection (c) in its entirety, and changing the lettering in the following subsections (d) and (e) accordingly.

Further amend Section 5 in lines 25 and 26, page 4 of the original bill, being lines 26 and 27, page 5 of the printed bill, by deleting subsection (3) in its entirety, and substituting the following: "(3) Require bonds for officers and employees of public institutions and the department in such amounts and form as may be necessary.";

Further amend Section 5, between lines 21 and 22, page 5 of the original bill, being between lines 51 and 1, page 6 of the printed bill, by inserting a new subsection as follows: "(9) Encourage the establishment of programs at the local level for the rehabilitation of the physically and mentally disabled.";

Amend Section 9 on page 6 of the original bill, being pages 6 and 7 of the printed bill, by deleting that section in its entirety and substituting a new section 9 to read as follows:

"Section 9. Appointment and term of board members. The board consists of five (5) members who shall be appointed by the governor with the advice and consent of the senate. The appointees shall be selected so that not more than three (3) are from the same congressional district and so that not more than three (3) are affiliated with the same political party. The original members of the board shall be appointed for one (1), two (2), three (3), four (4) and five (5) year terms. An appointment to replace a member whose term has expired shall be for five (5) years. An appointment to replace a member whose term has not expired shall be for the remainder of the term.";

Amend Section 10 on pages 6 and 7 of the original bill, being page 7 of the printed bill, by deleting that section in its entirety and substituting a new section 10 to read as follows:

"Section 10. Qualifications of board members. Board members shall be qualified by aptitude, experience or training.";

Amend Section 11 in lines 9 and 10, page 7 of the original bill, being line 3 of Section 11, page 7 of the printed bill, by deleting the words and figures "fifteen dollars (\$15.00)" and inserting in lieu thereof the words and figures "twenty-five (\$25.00) dollars";

Amend Section 12 in line 15, page 7 of the original bill, being line 2 of Section 12, page 7 of the printed bill, by deleting the word "month" and inserting in lieu thereof the word "quarter";

Further amend Section 12 in line 17, page 7 of the original bill, being line 3 of Section 12, page 7 of the printed bill, by deleting the word "five" and inserting in lieu thereof the word "three";

Amend Section 13, in line 27, page 7 of the original bill, being lines 8 and 9 of Section 18, page 11 of the printed bill by deleting the words "state soldiers'" and inserting in lieu thereof the words "Montana veterans'";

Amend Section 14, in line 1, page 8 of the original bill, being line 4 of Section 19, page 11 of the printed bill, by deleting the word "commandant" and inserting in lieu thereof the word "superintendent";

Further amend Section 14, in line 2, page 8 of the original bill, being line 5 of Section 19, page 11 of the printed bill, by deleting the word "soldiers'" and inserting in lieu thereof the word "veterans'";

Further amend Section 14, in lines 5 and 6, page 8 of the original bill, being line 8 of Section 19, page 11 of the printed bill, by deleting the words "army, navy, air force or marine corps" and inserting in lieu thereof the words "armed forces";

Further amend Section 14, in line 4, page 10 of the original bill, being line 18 of Section 19, page 11 of the printed bill, by deleting the words "army or navy" and inserting in lieu thereof the words "armed forces";

Amend Section 15, in lines 18, 19, page 10 of the original bill, being lines 3, 4 and 5 of Section 20, page 12 of the printed bill, by deleting the following words: "soldier, sailor, marine, or airman who served in the army, navy, or air force" and inserting in lieu thereof the words "person who served in the armed forces";

Further amend Section 15, in line 22, page 10 of the original bill, being line 7 of Section 20, page 12 of the printed bill, by deleting the words "army or navy or other branch of the military establishment" and inserting in lieu thereof the words "armed forces";

Further amend Section 15, in lines 31 and 32, page 10 of the original bill, being lines 16 and 17 of Section 20, page 12 of the printed bill, by deleting the words "and be provided with agricultural facilities under competent management,";

Further amend Section 15, in line 3, page 11 of the original bill, being line 20 of Section 20, page 13 of the printed bill, by deleting the word "soldiers'" and inserting in lieu thereof the word "veterans'";

Amend Section 16, in line 22, page 11 of the original bill, being line 7 of Section 21, page 13 of the printed bill, by deleting the words "soldiers, sailors or marines" and inserting in lieu thereof the words "persons who have served in the armed forces";

Further amend Section 16, line 24, page 11 of the original bill being line 9 of Section 21, page 13 of the printed bill, by deleting the words "soldiers, sailors or marines" and inserting in lieu thereof the word "persons";

Amend Section 17, line 1, page 12 of the original bill, being line 8 of Section 22, page 14 of the printed bill, by deleting the word "soldiers'" and inserting in lieu thereof the word "veterans'";

Amend Section 18, in line 7, page 12 of the original bill, being line 4 of Section 23, page 14 of the printed bill, by deleting the word "soldiers" and inserting in lieu thereof the word "veterans";

Further amend Section 18, in lines 10, 11 and 13, page 12 of the original bill being lines 7, 8 and 10, of Section 23, page 14 of the printed bill, by deleting the word "soldiers" and inserting in lieu thereof, in each instance, the word "veterans";

Amend Section 19, on pages 12 and 13 of the original bill, being Section 24 on pages 14 and 15 of the printed bill, by striking that section in its entirety and renumbering the following sections accordingly;

Amend Section 21, in lines 30, 31 and 32, page 13 of the original bill, being lines 5, 6 and 7 of Section 26, page 16 of the printed bill, by striking out the words "who shall be a competent and qualified physician having had special and advanced training and experience in the treatment and care of mental disorders and diseases.";

Further amend Section 21, in line 10, page 14 of the original bill, being line 17 of Section 26, page 16 of the printed bill, by deleting the words "the assistant superintendent" and inserting in lieu thereof the words "one other employee of the state hospital to be named by the board,";

Amend Section 31, page 17 of the original bill, being Section 36, pages 20 and 21 of the printed bill, by deleting that section in its entirety;

Amend Section 32, in line 6, page 18 of the original bill, being line 7 of Section 37, page 21 of the printed bill, by deleting the words "the assistant superintendent of the state hospital";

Amend Section 46, on page 26 of the original bill, being Section 51, pages 30 and 31 of the printed bill, by deleting that section in its entirety and substituting the following section:

Section 46. Section 80-740, R.C.M. 1947, is amended to read as follows:

"80-740. Good behavior allowance for [convicts] "inmates" in certain employments. The state [board of prison commissioners] "department of public institutions" is hereby authorized and required to adopt rules and regulations applicable to all [convicts] "inmates" employed upon any prison work or activity whereby said [convicts] "inmates so employed, but only while so employed, may be granted good time allowance which shall operate as a credit of time from his sentence as imposed by the court, conditioned upon such [convicts'] "inmates" good behavior and compliance with all rules and regulations which may be made by said [board or superintendent] "department" or warden of the state prison, for the management and control of said prison and such [convicts] "inmates"; provided, said rules may grant not to exceed good time allowance of: ten (10) days per month "for inmates assigned within the confines of the walls of the prison; thirteen (13) days per month for those inmates placed outside the confines of the walls of the prison; fifteen (15) days per month for those inmates who have been assigned outside the walls of the prison for a period of one year on a minimum status," and further, provided, that "in the event of" an attempted escape [by the convict] "by the inmate" or [such] "a" violation of the rules and regulations so prescribed, "by the "department or warden" [as in the judgment of the said board should be punished by forfeiture of such extra good time, shall operate as forfeiture of all extra good time as may have been allowed by said board of prison commissioners, now authorized in this act.] "the inmate may be punished by the forfeiture of any part of or all good time allowances." The warden of the state prison shall advise [the board of pardons of the good time allowance granted to all convicts each month] "the department of public institutions of any attempted escape or violation of rules and regulations

on the part of the inmate, and the department shall approve the forfeiture of any part of or all good time allowance.”;

Amend Section 64, lines 25 and 26, page 35 of the original bill, being lines 3 and 4 of Section 69, page 42 of the printed bill, by deleting the words “boy or girl” and inserting in lieu thereof the word “person”;

Further amend Section 64, in lines 29 and 31, page 35 of the original bill, being lines 7 and 9 of Section 69, page 42 of the printed bill, by deleting the word “boy” and inserting the word “person” in both instances.”;

Further amend Section 64, in line 32, page 35 of the original bill, being line 10 of Section 69, page 42 of the printed bill, by inserting after the word “school” and before the comma, the words “or the state vocational school for girls”;

Further amend Section 64, in line 32, page 35 of the original bill and in line 2, page 36 of the original bill, being lines 10 and 12, of Section 69, page 42 of the printed bill, by deleting the word “boy” and inserting in lieu thereof the word “person” in both instances;

Further amend Section 64, in lines 2 and 3, page 36 of the original bill, being lines 12 and 13 of Section 69, page 42 of the printed bill, by deleting the words “such reform school” and inserting in lieu thereof the words “one of such schools”;

Further amend Section 64 in line 7, page 36 of the original bill, being line 17 of Section 69, page 42 of the printed bill, by deleting the words “the [reform] “industrial school” and inserting in lieu thereof the words “one of such schools”;

Amend Section 79, in line 13, page 42 of the original bill, being line 12 of Section 84, page 50 of the printed bill, by inserting after the word “school” and before the period, the words “or vocational school for girls”;

Amend Section 83, in line 9, page 44 of the original bill, being line 11 of Section 88, page 52 of the printed bill, by inserting between the word “school,” and the word “and” the words “the state training school and hospital.”;

Amend Section 84, in line 13, page 44 of the original bill, being line 3 of Section 89, page 52 of the printed bill, by inserting after the figures “80-321,” the figures “80-322.”;

Further amend Section 84, line 14, page 44 of the original bill, being line 4, in Section 89, page 52 of the printed bill, by inserting after the figures “38-111,” the figures “38-702.”;

Amend Section 5, pages 4 and 5 of the original bill, being Section 5, page 5 of the printed bill, by striking in its entirety subparagraphs (5) and (6) and renumbering the following subparagraphs accordingly.”;

And as amended, be concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 10, respectfully report as follows: That Senate Bill No. 10 be amended as follows:

Amend the title in line 7, page 1 of the original bill, being line 4 of the title, page 1 of the printed bill, by deleting the word “BUDGETING.”; and deleting the figures “79-1012,” from line 14 of the original bill, being line 13 of the title of the printed bill.

Amend Section 2 in line 4, page 2 of the original bill, being lines 4 and 5 of Section 2, page 2 of the printed bill, by deleting the words “and ex officio director of the budget”;

Amend Section 3 in line 8, page 2 of the original bill, being line 2, page 2 of the printed bill, by deleting the word "initially";

Further amend Section 3 in line 11, page 2 of the original bill, being line 5 of Section 3, page 2 of the printed bill, by deleting the word and figure "(3) Budgeting" and renumbering the following two subsections accordingly;

Further amend Section 3, in lines 14, 15 and 16, page 2 of the original bill, being lines 8, 9 and 10, page 2 of the printed bill, by deleting the sentence "The controller, with the permission of the governor, may abolish any of their divisions or create new divisions when necessary to improve the administration of the department";

Amend Section 13 in line 24, page 4 of the original bill, being line 7 of Section 13, page 5 of the printed bill, by deleting the word "librarian" and inserting in lieu thereof the word "director";

Further amend Section 13 in lines 27 and 28, page 4 of the original bill, being lines 10 and 11, page 5 of the printed bill, by deleting the following: "The controller shall then, in his discretion, grant or refuse permission to destroy the records" and inserting in lieu thereof the following: "If neither the director of the historical society nor the attorney general object, the controller may grant permission to destroy the records";

Amend Section 16 in lines 16, 17 and 18, page 7 of the original bill, being lines 12 and 13, page 7 of the printed bill, by deleting the words "a residence hall, dormitory or other student housing facility as provided by law" and inserting in lieu thereof the words "residence halls, dormitories, apartments and other student housing facilities; dining rooms and halls and other food service facilities; and student union buildings and facilities";

Amend Section 17, in lines 3 and 4, page 8 of the original bill, being lines 8 and 9, page 8 of the printed bill, by deleting the words "Under the supervision and with the approval of the board of examiners," and capitalizing the first letter of the word "solicit";

Further amend Section 17, in lines 7 and 8, page 8 of the original bill, being line 11, page 8 of the printed bill, by deleting the words and punctuation as follows: ", with the consent of the board of examiners.";

Further amend Section 17, in line 12, page 8 of the original bill, being line 16, page 8 of the printed bill, by inserting between the words "housing" and "facilities" the words "and other";

Amend Section 19, in lines 9 and 10, page 9 of the original bill, being line 5 of Section 19, page 9 of the printed bill, by deleting the words "and the state board of examiners";

Amend Section 26, in line 16, page 12 of the original bill, being line 4 of Section 26, page 12 of the printed bill, by deleting the words "adjutant-general" and inserting in lieu thereof the word "controller";

Amend Section 30, on page 15 of the original bill, being pages 15 and 16 of the printed bill, by striking out that section in its entirety and renumbering the following sections accordingly;

Amend Section 31, in lines 15 and 16, page 16 of the original bill, being line 21, page 16 of the printed bill by deleting the following: [through the office of director of the budget] and substituting "through the office of director of the budget";

Amend Section 33 in line 29, page 17 of the original bill, being line

3 of Section 33, page 18 of the printed bill, by deleting the word "librarian" and inserting in lieu thereof the word "director";

And as amended, be concurred in.

Report adopted.

WRIGHT, Chairman

February 28, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 345, 20, 326, and 312.

SELSTAD

I have examined House Bill No. 20 introduced by me and find the same to be correct.

HIBBARD

I have examined House Bill No. 326 introduced by me and find the same to be correct.

HIBBARD

I have examined House Bill No. 345 introduced by me and find the same to be correct.

REGAN

I have examined House Bill No. 312 introduced by me and find the same to be correct.

SCHYE

February 28, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Senate Substitute for House Bill No. 209.

SELSTAD

I have examined House Bill No. 209 introduced by me and find the same to be correct.

HAWKS

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 81: Haines, Seymour, Tracy.

The Speaker signed the following bills in open session, the titles having first been read: Senate Substitute for House Bill No. 209 and House Bills Nos. 20, 326, 312 and 345.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Friday, March 1, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 1, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-third Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do not pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 be amended as follows:

Be amended in Section 1, page 2, line 7 of the original bill by deleting the second figure "\$90,000.00" and inserting in lieu thereof the figure "\$95,000.00"

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Substitute Senate Bill No. 45, respectfully report as follows: That Substitute Senate Bill No. 45 be amended as follows:

By inserting in the printed bill line 4, Section 6 and line 1 of the original bill a comma (",") and adding the words "or in emergencies such as floods, ice jams or other conditions causing emergency handling." Beginning on line 2 of page 3 of the original bill section 6; and being section 6, line 4, page 3 of the printed bill.

And to further amend by adding to the original and printed bill:

"Section 7. This act shall be effective until January 1, 1965." and as amended, be considered without recommendation.

PIERCE, Chairman

Motion was made by Pierce for adoption of the committee report.

Substitute motion was made by Turnage that Substitute Senate Bill No. 45 be referred to the Committee on Highways.

Substitute motion for all motions pending was made by Bailey that Substitute Senate Bill No. 45 be placed on General Orders.

Gill requested a roll call vote with the results thereof to be spread on the Journal, and sufficient seconds arose. Roll call vote was taken, and the substitute motion by Bailey failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Jenkins, Johnson, Judge, Keller, Laas, Lewis, Lombardi, Lundgren, Murray, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Rehberg, Schepens, Seymour, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 46.

Noes: Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Boughton, Broeder, Casey, Crum, Dyktsra, East, Etchart, Falkenstern, Garrison, Goan, Hawks, Hemstad, Hibbard, Holtz, Jensen, Kvaalen, Leuthold, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Pierce, Regan, Reinecke, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 46.

Absent or not voting: Rosell, Spahr. Total 2.

Excused: None.

Substitute motion by Turnage that Substitute Senate Bill No. 45 be referred to the Committee on Highways carried.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be amended as follows:

By inserting in the title after the word "person" the words: "without written permission of the landowner or lessee."

Further amend by inserting after the word "shall" the words "without written permission from the landowner or lessee" in line 12 of the original bill and line 2 of the printed bill.

Further amend by adding in line 5 of the printed bill and line 16 of the original bill a period (".") after the word "misdemeanor".

Further amend by striking out lines 5 after the word "misdemeanor", through lines 13 of the printed bill and lines 16 after the word "misdemeanor" through line 25 of the original bill.

And to further amend by adding "Section 2. Enforcement of this act shall be the responsibility of all local police officers as well as fish and game wardens.

And as amended, be concurred in.

PIERCE, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February, 27, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 55—Introduced by Turnage, Jensen, Casey, Haughey, Murray, Judge, Gill, Flynn, Bradford.

Sincerely,

TIM BABCOCK
Governor

February 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill was this day read third time and passed, title and history agreed to and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 303, introduced by Committee on Highways and Transportation.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body of the following actions taken this day:

The Committee on Stockgrowing and Grazing recommended that House Substitute to Senate Bill No. 109 be not concurred in but that Senate Substitute for House Substitute to Senate Bill No. 109 do pass, report adopted. House Substitute to Senate Bill No. 109 is herewith returned to the House.

The Majority Committee on Public Health, Welfare and Safety recommended that House Bill No. 166 be not concurred in but that Senate Substitute for House Bill No. 166 do pass, report adopted. House Bill No. 166 is herewith returned to the House.

I am further directed to inform you that House Bill No. 104 was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and History agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 94, introduced by Bardanouve, Aasheim.

House Bill No. 119, introduced by Leuthold, Jensen, Garrison, Stranahan.

House Bill No. 183, introduced by Spahr, Keller, Blewett, Holtz.

House Bill No. 189, introduced by Smith, Hawks, Brenner, Eskildsen.

House Bill No. 271, introduced by Crum, Keller, Spahr, Haines.

House Joint Memorial No. 2, introduced by Jensen, Turnage, Brenner, Schepens, Garrison, Leuthold, Stranahan.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

February 28, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

Substitute House Bill No. 71, introduced by Committee on Judiciary.

House Bill No. 98, introduced by Smith, Welch, Gill, Pierce.

Substitute House Bill No. 101, introduced by Committee on Judiciary.

House Bill No. 184, introduced by Spahr, Keller, Blewett.

House Bill No. 200, introduced by Lucas, Keller.

House Bill No. 231, introduced by Lucas, Dykstra.

House Bill No. 242, introduced by Lewis.

House Bill No. 335, introduced by Bardanouve, Haines, Kvaalen.

House Bill No. 396, introduced by Nichols, Leuthold, Hawks, Hibbard, Dykstra.

Substitute House Bill No. 397, introduced by Committee on Townships and Counties.

House Joint Resolution No. 22, introduced by Rosell, et al.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve,

Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Etchart, Woodard. Total 2.

Absent or not voting: Garrison, Murray, Pierce, Selstad, Spahr. Total 5.

Excused: None.

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Woodard. Total 1.

Absent or not voting: Garrison, Hawks, Murray, Pierce, Selstad, Spahr. Total 6.

Excused: None.

Senate Substitute for Substitute Senate Bill No. 87 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Broeder. Total 1.

Absent or not voting: Murray, Pierce, Selstad. Total 3.

Excused: None.

Senate Bill No. 95 was not concurred in by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Beck, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Lundgren, O'Hair, Osburnsen, Rearden, Regan, Schepens, Shelden, Slaby, Spahr, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 40.

Noes: Adams, Asbjornson, Baldwin, Beam, Blewett, Boughton, Broeder, Crum, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Northey, Nutting, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schye, Seymour, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Wright. Total 52.

Absent or not voting: Murray, Selstad. Total 2.

Excused. None.

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Beam, Beck, Bradford, Brenner, Crum, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Goan, Good, Hanks, Haughey, Healy, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rosell, Schepens, Shelden, Slaby, Stranahan, Swanz, Tracy, Twedt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 51.

Noes: Adams, Baldwin, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Haines, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Kvaalen, Nash, Nelson, Nichols, Northey, Rearden, Regan, Rehberg, Reinecke, Schye, Seymour, Smiley, Smith, Spahr, Spilde, Thompson, Tooke, Turnage, Woodard, Wright. Total 39.

Absent or not voting: Harper, Murray, Selstad, Watt. Total 4.

Excused: None.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Jenkins, Jensen, Johnson, Keller, Kvaalen, Laas, Lombardi, Lucas, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Slaby, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Welch, Woodard, Zimmer, Mr. Speaker. Total 73.

Noes: Aasheim, Adams, Casey, East, Garrison, Holtz, Leuthold, Lewis, Lund, Raundal, Selstad, Shelden, Smiley, Smith, Thompson, Watt, Wayrynen, Weeks, Wright. Total 19.

Absent or not voting: Crum, Judge. Total 2.

Excused: None.

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Hawks. Total 1.

Excused: None.

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Flynn, Stranahan, Weeks. Total 3.

Absent or not voting: Aasheim, Harper, Hawks, O'Hair. Total 4.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wright of McCone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders recommend the following:

That Senate Bill No. 143 be considered after Senate Bill No. 142.

That consideration of Senate Bill No. 81 be passed for this sitting.

That Senate Bill No. 83 be concurred in.

That further consideration of House Bill No. 417 be indefinitely postponed.

That Senate Bill No. 97 be concurred in.

That Senate Bill No. 193 be amended in Section 1, subsection (a), by striking out the interlineation in lines 24 through 30, page 3 and line 1, page 4 of the original bill, being lines 74 through 85, page 4 of the printed bill;

And as amended, be not concurred in.

That Senate Bill No. 142 be concurred in.

That Senate Bill No. 143 be concurred in.

That Senate Bill No. 144 be concurred in.

That further consideration of Senate Bill No. 179 be indefinitely postponed.

That the Committee rise and report.

Report adopted.

WRIGHT, Chairman

March 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 416 and House Bill No. 418.

HARPER

March 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 159, 107 and 21 and Senate Substitute for House Joint Memorial No. 6.

SELSTAD

I have examined House Bill No. 159 introduced by me and find the same to be correct.

PIERCE

I have examined House Bill No. 107 introduced by me and find the same to be correct.

SMILEY

I have examined House Bill No. 21 introduced by me and find the same to be correct.

HIBBARD

I have examined Senate Substitute for House Joint Memorial No. 6 introduced by Committee on Local Government and find the same to be correct.

KELLER

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be amended as follows:

Amend title, line 7, page 1, of the original bill, being lines 4 through 6, page 1 of the printed bill, by striking the words "five per cent (5%) of the owners of the water rights affected" and inserting in lieu thereof the words "fifteen per cent (15%) of the owners of the water rights affected, or, under certain circumstances at the discretion of the Judge of the District Court."

Further amend Section 1, line 19, page 1 of the original bill, being line 10, page 1 of the printed bill, by striking the words "five percent" and inserting in lieu thereof the words and figures "fifteen per cent (15%)".

And further amend Section 1, line 25, page 1 of the original bill, being line 15, page 1 of the printed bill, by inserting after the word "decrees" and before the period, the following words and punctuation: ", provided that when petitioners make proper showing that they are not able to obtain the application of the owners of at least fifteen per cent (15%) of the water rights affected, and they are unable to obtain the water to which they are entitled, the judge of the district court having jurisdiction may, in his discretion, appoint a water commissioner."

And as amended, be concurred in.

LEUTHOLD, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

KELLER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be not concurred in.

WRIGHT, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 28, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 124—Introduced by Pierce, Rosell et al.

House Bill No. 150—Introduced by Lucas.

House Bill No. 152—Introduced by Pierce and Murray.

House Bill No. 195—Introduced by Committee on Highways.

Sincerely yours,

TIM BABCOCK
Governor

March 1, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 8—Introduced by Murray and Haughey.

House Bill No. 19—Introduced by Lucas, Selstad and McNamer.

House Bill No. 45—Introduced by Blewett, Holtz, Regan et al.

House Bill No. 88—Introduced by Dykstra and Bradford.

House Bill No. 100—Introduced by Dykstra and Blewett.

House Bill No. 175—Introduced by Lucas, Etchart, et al.

House Bill No. 203—Introduced by Judge, Turnage, et al.

House Bill No. 252—Introduced by Leuthold, Mathers and Laas.

House Bill No. 224—Introduced by Beam and Wayrynen.

House Bill No. 301—Introduced by Kvaalen, Haughey and Spahr.

House Bill No. 339—Introduced by Crum and Leuthold.

House Bill No. 348—Introduced by Zimmer, Rosell and Turnage.

House Bill No. 369—Introduced by Crum.

Sincerely yours,

TIM BABCOCK
Governor

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 20, and requested the President to appoint a Conference Committee of three and requested that a like committee be appointed by the Speaker of the House to confer on the House Amendments. The following Conference Committee from the Senate was appointed:

Senator Cotton, Chairman

Senator MacDonald

Senator Gerard

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day appointed a Conference Committee of three to confer with a previously appointed like Committee from the House, on Senate Amendments to House Bill No. 81.

Senator Dussault, Chairman

Senator Carney

Senator Ullom.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Taxation, reports adopted, and the same are herewith returned to the House:

House Bill No. 272 introduced by Dykstra, Turnage.

House Bill No. 343 introduced by Keller, Bashor, Schye.

House Bill No. 344 introduced by Keller, Bashor, Schye.

I am further directed to inform you that the following House Bill was this day recommended for non-concurrence by the Committee on State Administration, report adopted, and the same is herewith returned to the House:

House Bill No. 323 introduced by Pierce, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Broeder, having voted on the prevailing side, moved that Substitute Senate Bill No. 45 be taken from the Committee on Highways and placed on General Orders. After debate, Lucas moved the previous question. Motion carried. Motion by Broeder carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 13

Introduced by Adams, Garrison

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE MONTANA FISH AND GAME COMMISSION AND OTHER STATE AGENCIES TO EXERCISE CARE IN LAND ACQUISITIONS TO AVOID UNNECESSARY ECONOMIC IMPACT ON INDIVIDUAL COUNTIES.

WHEREAS, the Montana Fish and Game Commission has authority and power to acquire land for its necessary and proper uses and purposes, and has for a period of several years exercised such power and authority by making purchases in various Montana counties of lands for game ranges and fishing access sites; and

WHEREAS, the Montana Fish and Game Commission land holdings in some counties, when considered with those of other governmental agencies, have reached a level which in some instances results or may result in some adverse effects upon the tax structure and economy of those counties, although alleviated to some extent by the payments in lieu of taxes authorized by law and made by the Fish and Game Commission; and

WHEREAS, the Montana Fish and Game Commission will be making further acquisitions in pursuance of its programs of improving and assuring the best possible hunting and fishing and outdoor recreation to present and future generations of Montanans, by setting aside lands dedicated to such worthy purposes; and

WHEREAS, the combined impact of land acquisitions by the Montana Fish and Game Commission, and by other State and Federal agencies, can result in adverse effects upon the tax structure of Montana counties, unless due care be exercised to avoid such undesirable situations;

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Montana Fish and Game Commission and other agencies of the State of Montana be requested to give all possible consideration in future land acquisitions to the possible effects upon the tax structure and economy of the counties in which such acquisitions may be proposed, by making such investigations as may be appropriate, by giving adequate notice of intent to purchase substantial holdings, both by publicity and paid advertising, by consulting with the board of commissioners and other county officials, and, where advisable, by holding a public hearing in the community closest to the proposed purchase for the purpose of determining the views of the citizens of that county; and

BE IT FURTHER RESOLVED that the Montana Fish and Game Commission and other agencies of the State of Montana be requested to exercise due care in making land acquisitions, and to refrain from making any purchases which would have a substantial adverse economic effect upon the county in which located; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent by the Secretary of State of Montana to the members of the Montana Fish and Game Commission and to the members and officers of other agencies of the State of Montana which are authorized to acquire lands for their uses and purposes.

Motion was made by Adams for adoption of the Resolution. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 14

Introduced by Blewett

IT IS RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That Rule 47, "Transmission of Bills to Senate" on pages 42 and 43 of the Rules of the House of Representatives be amended as follows:

By deleting the figures and letters "57th" and inserting in lieu thereof the figures and letters "55th".

Motion was made by Blewett for adoption of the Resolution. Motion carried.

Motion was made by Blewett that the communication from the Senate received this morning under Order of Business No. 4 regarding House Substitute for Senate Bill No. 109 be referred to the Rules Committee. Motion carried.

Motion was made by Blewett that the House stand in recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 1, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 254, 151, 249, 332, 125, 221, 179, 283 and House Joint Resolution No. 14.

SELSTAD

I have examined House Bill No. 151 introduced by Committee on Judiciary and find the same to be correct.

MURRAY

I have examined House Bill No. 283 introduced by me and find the same to be correct.

TOOKE

I have examined House Bill No. 125 introduced by me and find the same to be correct.

HAZELBAKER

I have examined House Bill No. 221 introduced by me and find the same to be correct.

SMITH

I have examined House Bill No. 254 introduced by me and find the same to be correct.

NORTHEY

I have examined House Bill No. 249 introduced by me and find the same to be correct.

REGAN

I have examined House Bill No. 179 introduced by me and find the same to be correct.

KELLER

I have examined House Joint Resolution No. 14 introduced by me and find the same to be correct.

HAINES

I have examined House Bill No. 332 introduced by me and find the same to be correct.

McNAMER

The Speaker signed the following in open session, the titles having first been read: House Bill No. 159, Senate Substitute for House Joint Memorial No. 6, House Bills Nos. 107, 21, 283, 125, 221, 254, 332, 151, 249, 179 and House Joint Resolution No. 14.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration the communication from the Senate regarding House Substitute for Senate Bill No. 109, recommend that the Rules Committee of the House meet as quickly as possible with the Rules Committee of the Senate and that further action on the matter be deferred until such time as the joint meeting can be held.

BLEWETT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 15

Introduced by Haines, Bardanouve.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE LEGISLATIVE COUNCIL STUDY THE PRESENT SYSTEM OF RENTALS PAID BY DEPARTMENTS OF STATE GOVERNMENT AND REPORT ITS FINDINGS, TOGETHER WITH RECOMMENDATIONS TO IMPROVE THE SYSTEM, TO THE THIRTY-NINTH LEGISLATIVE ASSEMBLY.

WHEREAS, at the present time some departments of state government that are supported by special funds make rental payments to the capitol custodian for space allocated to them in state buildings, and

WHEREAS, these rental payments are placed in the general fund by the capitol custodian, rather than being used for maintenance and repair of state buildings, and

WHEREAS, as a consequence, when major maintenance or repair projects are necessary, the legislature is requested to make an appropriation from the general fund for these purposes, and

WHEREAS, the system of appropriating money to various departments of state government from the general fund, having these departments make rental payments to the capitol custodian, and then having the custodian deposit these receipts in the general fund results in much needless, expensive bookkeeping, and

WHEREAS, if realistic rentals were charged, and if these funds were used for the maintenance of state buildings, the Legislative Assembly would not so often be faced with large requests for building repair and maintenance to be appropriated from a general fund which already has heavy demands placed upon it.

WHEREAS, in its study of the custody and maintenance of capitol buildings and grounds the Legislative Council reported that "the state does not have a consistent or equitable policy for charging special fund departments for rent or utilities," and

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council is hereby requested to compile information on rentals and other charges paid by various departments of state government to the capitol custodian, to determine whether a uniform system could be devised which would accurately reflect the cost to the state resulting from the occupancy of state buildings by departments financed in whole or in part by special funds, and which also would provide the state with moneys for the maintenance and repair of state buildings.

BE IT FURTHER RESOLVED, that the Legislative Council is requested to submit a written report of their findings, together with recommendations for improvements, to the Thirty-ninth Legislative Assembly.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is instructed to send copies of this resolution to the Governor, to the Capitol Custodian, and to the Executive Director of the Legislative Council.

Motion was made by Haines for adoption of the Resolution. Motion carried.

CONFERENCE COMMITTEE REPORTS

TO: The President of the Senate

The Speaker of the House:

We, your Joint Conference Committee appointed to consider the Senate amendment to House Bill 81, beg leave to report as follows:

The Conference Committee is unable to agree, therefore we respectfully request discharge and that another conference committee be appointed.

FOR THE SENATE:

Dussault

Carney

Ullom

FOR THE HOUSE:

Haines

Seymour

Tracy

Motion was made by Blewett for adoption of the Conference Committee report and that a new Conference Committee be appointed. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 81: Keller, Smiley, Spahr.

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House Amendments to Senate Bill No. 20. Motion carried.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 20: Kvaalen, Haughey, Raundal.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 80.

Noes: Boughton, Goan, Nash, Rosell, Smith, Stranahan. Total 6.

Absent or not voting: Aasheim, Bardanouve, Broeder, Hawks, Jenkins, Mathers, Murray, Schye. Total 8.

Excused: None.

Senate Bill No. 97 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Boughton, Broeder, Hawks, Jenkins, Mathers, Schye, Turnage. Total 7.

Excused: None.

Senate Bill No. 143 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Healy, Hemstad, Holtz, Jensen, Judge, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Thompson, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Boughton, Casey, Dykstra, Etchart, Hanks, Haughey, Hibbard, Jenkins, Jensen, Keller, Kvaalen, Lewis, Raundal, Selstad, Smith, Tooke, Wright. Total 17.

Absent or not voting: Hawks, Mathers, Schye, Smiley, Turnage. Total 5.

Excused: None.

Senate Bill No. 142 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Flynn, Garrison, Gill, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Johnson, Judge, Keller, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Spilde, Stranahan, Swanz, Thompson, Tracy, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer. Total 73.

Noes: Bailey, Boughton, Bradford, Etchart, Falkenstern, Hanks, Jenkins, Jensen, Kvaalen, Lewis, Nutting, Raundal, Rearden, Smith, Spahr, Tooke, Weeks. Total 17.

Absent or not voting: Harper, Schye, Turnage, Mr. Speaker. Total 4.

Excused: None.

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 90.

Noes: Boughton, Rearden. Total 2.

Absent or not voting: Schye, Mr. Speaker. Total 2.

Excused: None.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

Substitute House Bill No. 416 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Mathers, Murray, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Schepens, Seymour, Shelden, Slaby, Spahr, Spilde, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 69.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Garrison, Goan, Hawks, Jenkins, Keller, Lewis, McNamer, Nash, Reinecke, Rosell, Selstad, Smiley, Smith, Stranahan, Thompson, Weeks, Woodard, Wright. Total 23.

Absent or not voting: Lundgren, Schye. Total 2.

Excused: None.

House Bill No. 418 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Schye, Spilde. Total 2.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wright of McCone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 81 be amended in the title by striking out in lines 7 and 8, page 1 of the original bill, being lines 1 and 2, page 1 of the printed bill, the following: "ADOPTING THE UNIFORM ACT OF PATERNITY:";

Be further amended in the title by striking out in lines 11, 12 and 13, page 1 of the original bill, being lines 6, 7 and 8, page 1 of the printed bill, the following words and figures: "PROVIDING FOR BLOOD TESTS; AND REPEALING SECTIONS 94-9901, 94-9902, 94-9903, 94-9904, 94-9905, 94-9906, 94-9907 AND 94-9908, R.C.M. 1947.";

Be further amended in Section 1 by adding in line 25, page 1 of the original bill, being line 8, page 1 of the printed bill, after the word "husband" the following words and punctuation: "; provided, however, nothing herein contained shall affect the presumptions of legitimacy otherwise provided by statute.";

Be further amended in Section 7 by striking that section in its entirety, beginning on line 30, page 2 of the original bill, being line 1, page 3 of the printed bill;

Be further amended in Section 8 by striking that section in its entirety, beginning on line 8, page 3 of the original bill, being line 1, page 3 of the printed bill;

Be further amended in Section 9 by striking that section in its entirety, beginning on line 19, page 3 of the original bill, being line 1, page 3 of the printed bill;

Be further amended in Section 10 by striking that section in its entirety, beginning on line 32, page 3 of the original bill, being line 1, page 4 of the printed bill;

Be further amended in Section 16 by striking that section in its entirety, beginning on line 30, page 4 of the original bill, being line 1, page 5 of the printed bill;

Be further amended in Section 17 by striking out beginning in line 2, page 5 of the original bill, being line 3, page 5 of the printed bill, the following words: “, and the following acts and parts of acts are hereby repealed: Sections 94-9901, 94-9902, 94-9903, 94-9904, 94-9905, 94-9906, 94-9907 and 94-9908, R.C.M. 1947”;

Be further amended, in accordance with the above amendments, by numbering all sections consecutively;

And as amended, be concurred in.

That Senate Bill No. 193 be concurred in.

That Senate Bill No. 169 be amended in Section 2 by striking out in lines 21 and 22, page 2 of the original bill, being lines 5 and 6, page 2 of the printed bill, the following: “or corporations subject to regulation under state or federal laws”;

Be further amended in Section 6 by striking out in lines 4, 5 and 6, page 4 of the original bill, being lines 4, 5 and 6, page 4 of the printed bill, the following: “if necessary to protect the fair cash value of the stock of the complaining shareholders.”;

Be further amended in Section 7 by inserting in line 15, page 4 of the original bill, being line 7, page 4 of the printed bill, after the word “purchasing” and before the words “the shares of stock”, the following: “, ratably in the proportions of their stock ownership,”;

And as amended, be concurred in.

That consideration of Senate Amendments to House Bill No. 56 be placed after consideration of Senate Bill No. 22.

That Senate Amendments to House Bill No. 137 be concurred in.

That Senate Amendments to House Bill No. 338 be concurred in.

That Senate Amendments to House Bill No. 217 be not concurred in and that the Speaker appoint a Conference Committee of three to confer with a like committee from the Senate.

That Senate Joint Resolution No. 13 be concurred in.

That consideration of Senate Bill No. 189 be placed at the bottom of the calendar.

That Senate Bill No. 165 be concurred in.

That Senate Bill No. 189 be considered at this time.

That Senate Bill No. 189 be amended in Section 1 by striking out in lines 25, 26, 27 and 28, page 1 of the original bill, being lines 11, 12, 13 and 14, pages 1 and 2 of the printed bill, the words “have the label of the branch of the international typographical union [of the city] ‘or the allied printing trades council of the locality’ in which they are printed, ‘except under the following conditions:’” and inserting in lieu thereof the words “bear the label of the branch of any recognized international printing union registered within the state of Montana and of the locality in which they are printed, except under the following conditions:”;

Be further amended in Section 1 by striking out in line 29, page 1 of the original bill, and in line 15, page 2 of the printed bill, after the word “said”, the word “label” and inserting in lieu thereof the word “labels”;

And as amended, be concurred in.

That the Committee rise and report.

WRIGHT, Chairman

Report adopted.

March 1, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 385, 345, 326, 312, 300, 276, 223 and Senate Substitute for House Bill No. 209, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:15 o'clock, P.M., delivered to the Governor for his approval.

MURRAY, Chairman

March 1, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 164, 142, 93, 61, 60, 54, 20, House Joint Memorial No. 5, House Joint Resolution No. 9 and Senate Substitute for House Bill No. 26, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:15 o'clock, P.M., delivered to the Governor for his approval.

MURRAY, Chairman

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 217: Dykstra, Jensen, Bradford.

Motion was made by Blewett that the House stand in recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 1, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 419, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MESSAGES FROM THE SENATE

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was directed to appoint a new Conference Committee to confer with a like Committee from the House on Senate Amendments to House Bill No. 81 since the previous Conference Committee was unable to agree. The President appointed the following Senators to serve on this Committee:

Senator Durkee, Chairman

Senator Nees

Senator McDonnell

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 16

Introduced by Wayrynen, Seymour, Pierce, Hazelbaker.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE THIRTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA TO THE HONORABLE STEWART UDALL, SECRETARY OF THE INTERIOR, THE DIRECTOR OF THE FEDERAL FISH AND WILDLIFE SERVICE AND THE FISH AND GAME COMMISSION OF THE STATE OF MONTANA REQUESTING THAT THE ENTIRE STATE OF MONTANA BE PLACED IN THE PACIFIC FLYWAY FOR THE HUNTING OF MIGRATORY GAME BIRDS.

WHEREAS, Montana has long been noted for its excellent migratory waterfowl hunting because it borders on those provinces of Canada which furnish the principal breeding ground for migratory game birds on the North American Continent; and

WHEREAS, the number of game birds migrating across Montana have not materially decreased in recent years according to observations of hunters and organizations interested in promoting waterfowl hunting, and

WHEREAS, during the 1962 migratory game bird hunting season that portion of the State of Montana lying East of the Continental Divide was placed in the Central Flyway and that portion of the State of Montana West of the Continental Divide was placed in the Pacific Flyway, and

WHEREAS, the regulations as to the length of the hunting season and the bag limits for migratory waterfowl in the Central Flyway were unduly restrictive on Montana hunters and were not appropriate to conditions in Montana; and

WHEREAS, placing that portion of Montana east of the Continental Divide in the Central Flyway was unjustly discriminatory to hunters of that area of Montana;

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana, that the Honorable Stewart Udall, Secretary of the Interior, the Director of the National Fish and Wildlife Service and the Fish and Game Commission of the State of Montana be requested to place the entire State of Montana in the Pacific Flyway for the hunting of migratory game birds for the year 1963 and thereafter.

BE IT FURTHER RESOLVED that the Secretary of State is instructed to send copies of this resolution to the Honorable Tim Babcock, Governor of the State of Montana, to the Honorable Stewart Udall, Secretary of the Interior, to the Director of the National Fish and Wildlife Service and to the Fish and Game Commission of the State of Montana.

Motion was made by Wayrynen for adoption of the Resolution. Motion carried.

Motion was made by Rehberg that Senate Bill No. 193 be taken from Third Reading and rereferred to the Committee on Highways.

Rehberg requested a roll call vote with the results thereof to be spread on the Journal, and sufficient seconds arose. Roll call vote was taken, and the motion failed to carry by the following vote:

Ayes: Bailey, Boughton, Casey, Davis, Deschamps, Egan, Etchart, Falkenstern, Haines, Hanks, Hemstad, Kvaalen, Laas, Leuthold, Mathers, Nichols, Northey, Nutting, Raundal, Rehberg, Rosell, Schepens, Selstad, Smith, Stranahan, Twedt, Welch, Woodard, Wright. Total 29.

Noes: Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Crum, Cummings, Dykstra, East, Flynn, Gill, Goan, Good, Harper, Haughey, Healy, Hibbard, Holtz, Jensen, Judge, Keller, Lewis, Lombardi, Lund, Lundgren, McNamer, Nash, Nelson, O'Hair, Osburnsen, Pierce, Rearden, Regan, Reinecke, Schye, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Mr. Speaker. Total 55.

Absent or not voting: Aasheim, Adams, Eskildsen, Garrison, Hawks, Jenkins, Johnson, Lucas, Murray, Zimmer. Total 10.

Excused: None.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 426, introduced by Hawks, Dykstra, Nichols, Goan, Blewett: A bill for an act entitled: "An act authorizing the State Board of Examiners to borrow up to one million dollars (\$1,000,000.00) for the reconstruction, enlargement, improvement, remodeling, repair, and furnishing of the State Capitol Building of the State of Montana at Helena, Montana; providing for the issuance of bonds, indentures and/or notes; dedicating income from Capitol Building Land Grant for repayment of loans; enumerating the power and duties of the State Board of Examiners in carrying out the provisions of this act; and providing for an effective date and a severability clause."

House Bill No. 427, introduced by Hawks, Dykstra, Nichols, Goan, Blewett: A bill for an act entitled: "An act to appropriate money to the State Board of Examiners for the reconstruction, enlargement, improvement, remodeling, repair, and furnishing of the State Capitol Building of the State of Montana at Helena, Montana; and providing an effective date."

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 81 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Falkenstern, Flynn, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: Boughton, Etchart, Goan, Murray, Smith, Stranahan, Woodard. Total 7.

Absent or not voting: Adams, Bardanouve, Garrison, Jenkins, Lucas, Mathers. Total 6.

Excused: None.

Senate Bill No. 193 was not concurred in by the following vote:

Ayes: Asbjornson, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Crum, Deschamps, Dykstra, East, Flynn, Gill, Good, Haines,

Healy, Hibbard, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Lombardi, Lundgren, McNamer, Murray, Nichols, Northey, Pierce, Rearden, Regan, Reinecke, Seymour, Shelden, Slaby, Spahr, Swanz, Thompson, Tracy, Turnage, Watt, Wayrynen, Zimmer, Mr. Speaker. Total 46.

Noes: Aasheim, Adams, Bailey, Baldwin, Boughton, Brenner, Casey, Cummings, Davis, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Hanks, Harper, Haughey, Hawks, Hemstad, Holtz, Johnson, Leuthold, Lewis, Lucas, Lund, Mathers, Nash, Nelson, Nutting, O'Hair, Osburnsen, Raundal, Rehberg, Rosell, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Tooke, Twedt, Welch, Woodard, Wright. Total 46.

Absent or not voting: Goan, Weeks. Total 2.

Excused: None.

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Crum, Cummings, Deschamps, Dykstra, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Smiley, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Woodard, Mr. Speaker. Total 71.

Noes: Bailey, Bardanouve, Boughton, Brenner, Casey, Davis, Egan, Eskildsen, Etchart, Flynn, Jensen, Johnson, Laas, Nutting, O'Hair, Raundal, Slaby, Smith, Twedt, Welch, Wright, Zimmer. Total 22.

Absent or not voting: East. Total 1.

Excused: None.

Senate Amendments to House Bill No. 137 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: Wayrynen. Total 1.

Absent or not voting: Harper, Jenkins, Swanz. Total 3.

Excused: None.

Senate Amendments to House Bill No. 338 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, John-

son, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 89.

Noes: Jensen, Smiley. Total 2.

Absent or not voting: Hanks, Spilde, Swanz. Total 3.

Excused: None.

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Casey, Cummings, East, Egan, Etchart, Falkenstern, Flynn, Gill, Good, Harper, Healy, Hemstad, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, Mathers, Northey, Nutting, O'Hair, Osburnsen, Raundal, Schepens, Schye, Shelden, Slaby, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Wright, Mr. Speaker. Total 51.

Noes: Boughton, Brenner, Broeder, Crum, Davis, Deschamps, Dykstra, Eskildsen, Garrison, Haines, Hanks, Haughey, Hawks, Hibbard, Holtz, Jenkins, Keller, Kvaalen, Leuthold, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Selstad, Seymour, Smiley, Smith, Spahr, Stranahan, Weeks, Woodard, Zimmer. Total 40.

Absent or not voting: Goan, Spilde, Welch. Total 3.

Excused: None.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rear-

den, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wright of McCone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 22 be concurred in.

That consideration of all Senate amendments to House bills and memorials be passed for the day.

That Senate Bill No. 3 be concurred in.

That the Committee rise and report.

WRIGHT, Chairman

Report adopted.

March 1, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 422 and 424, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

Motion was made by Blewett that the House adjourn until 9:30 a.m., Saturday, March 2, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 2, 1963

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 8, respectfully report as follows: That Senate Bill No. 8 be not concurred in.

WRIGHT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do pass.

HAWKS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 1, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 272, introduced by Dykstra, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate, House Substitute for Senate Bill No. 109.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as

amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 117, introduced by Goan, Bardanouve.

House Bill No. 174, introduced by Mathers, Lucas, Bashor.

House Bill No. 219, introduced by Hibbard, Haughey, Spahr.

House Bill No. 304, introduced by Wright, Asbjornson, Lund, Aasheim.

Substitute House Bill No. 305, introduced by Committee on Highways.

House Bill No. 358, introduced by Goan, Thompson, Mathers.

House Bill No. 359, introduced by Goan, Thompson, Mathers.

House Bill No. 360, introduced by Goan, Thompson, Mathers.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Substitute House Joint Memorial No. 13 was this day recommended for non-concurrence by the Committee on Natural Resources, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

Substitute House Bill No. 42, introduced by Committee on Judiciary

Substitute House Bill No. 214, introduced by Committee on State Administration.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 17

Introduced by Judge, Blewett, Wayrynen.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES COMMENDING HELENA SENIOR HIGH SCHOOL ON THEIR PRODUCTION OF "DAMN YANKEES" AND THANKING THE HIGH SCHOOL FOR THE HOSPITALITY EXTENDED TO MEMBERS OF THE MONTANA LEGISLATIVE ASSEMBLY.

WHEREAS, the student body of Helena Senior High School is to be highly commended for its excellent production of the play "Damn Yankees," and

WHEREAS, this highly successful play indicates that Helena Senior High School is endowed with many youths of outstanding talents, and

WHEREAS, this rich store of talent has been combined with much hard work and unfailing enthusiasm of the student body to produce the play "Damn Yankees," and

WHEREAS, in addition to the student body, Mr. Charles Johnson, principal, Mrs. Walter (Doris) Marshall, director of activities, Mr. John Varnum, music coordinator, Mr. Gail Harris, vocal music director, and Mr. Earl Wadley, art director, are to be commended particularly for guidance and direction in this production, and

WHEREAS, some five hundred seats were reserved on the evening of February 19, 1963 for members of the Montana Legislative Assembly and their guests, and

WHEREAS, in addition to this hospitality, special programs were prepared for the use of the legislators and their guests, and

WHEREAS, the members of the Montana Legislative Assembly thoroughly enjoyed the play and are very grateful for the hospitality extended to them by the staff and students of Helena Senior High School.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives wishes to extend its congratulations to the student body and staff of Helena Senior High School for their excellent production of "Damn Yankees."

BE IT FURTHER RESOLVED, that the House of Representatives wishes to extend its gratitude for the hospitality extended to them by Helena Senior High School.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is instructed to furnish copies of this resolution to the Helena Superintendent of Schools for transmittal to the student body, and to each of the members of the staff mentioned in this resolution.

Motion was made by Judge for adoption of the Resolution. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 18

Introduced by Blewett

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That Joint Rules of House of Representatives and Senate be amended by adding Joint Rule No. 26 to read as follows:

"Rule No. 26. Amendments by one house to a bill originating in the other house shall not be further amended by the originating house. For the purpose of this rule, a substitute bill of one house for a bill originating in the other house shall be deemed an amendment."

Motion was made by Blewett for adoption of the Resolution. Motion carried.

Motion was made by Blewett that the House accede to the request of the Senate and return House Substitute for Senate Bill No. 109 and House Bill No. 272 to the Senate.

Motion was made by Aasheim that Senate Bill No. 3 be taken from Third Reading and placed on General Orders. After debate, Dykstra moved the previous question. Motion carried. Motion by Aasheim failed to carry.

Motion was made by Raundal that Senate Bill No. 22 be taken from Third Reading and placed on General Orders. Motion failed to carry.

The Speaker signed the following in open session, the titles having first been read: Senate Joint Resolution No. 10, Senate Bill No. 60, Senate Joint Resolution No. 12, Senate Bills Nos. 62, 156, and 6, Senate Joint Memorial No. 9, Senate Bills Nos. 115, 39, 36, 151 and 114, Senate Joint Memorial No. 5, Senate Joint Memorial No. 6 and Senate Bill No. 122.

March 2, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 421, 423, 425, 426 and 427, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman

THIRD READING OF SENATE BILLS

Dykstra requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Dykstra moved that the Call of the House be dispensed with. Motion carried.

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Crum, Cummings, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Gill, Good, Hanks, Harper, Haughey, Healy, Hemstad, Jenkins, Jensen, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Murray, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Shelden, Stranahan, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer. Total 64.

Noes: Blewett, Broeder, Casey, Davis, Dykstra, Garrison, Goan, Haines, Hawks, Hibbard, Holtz, Johnson, Keller, Lundgren, Mathers, McNamer, Nash, Nichols, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Thompson, Tooke, Weeks, Mr. Speaker. Total 30.

Absent or not voting: None.

Excused: None.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Garrison, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Regan, Selstad, Seymour, Shelden, Smith, Spahr, Spilde, Swanz, Tooke, Turnage, Watt, Weeks, Welch, Zimmer, Mr. Speaker. Total 61.

Noes: Bashor, Bradford, Brenner, Crum, Cummings, Davis, Eskildsen, Flynn, Gill, Goan, Harper, Johnson, Laas, Lewis, Lombardi, Nash, O'Hair, Osburnsen, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Slaby, Smiley, Stranahan, Thompson, Tracy, Twedt, Wayrynen, Woodard, Wright. Total 33.

Absent or not voting: None.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Lombardi of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 10 be concurred in.

That consideration of Substitute Senate Bill No. 45 be placed on the calendar after Senate Bill No. 72.

That Senate Bill No. 55 be concurred in.

That Senate Bill No. 33 be concurred in.

That further consideration of Senate Bill No. 70 be indefinitely postponed.

That further consideration of Senate Bill No. 71 be indefinitely postponed.

That Senate Bill No. 72 be concurred in.

That Substitute Senate Bill No. 45 be amended in Section 2 by striking out in lines 29 and 30, page 1 of the original bill, being lines 10 and 11, page 2 of the printed bill, the words "not less than one hundred and twenty (120) days prior to the commencement of such planned construction" and inserting in lieu thereof the words "as soon as preliminary plans are completed, but not less than sixty (60) days prior to commencement of final plans for construction.";

Be further amended in Section 5 by striking out all the words and figures in subsection (2) beginning with the word "notify" in line 22, page 2 of the original bill, being line 10, page 3 of the printed bill, to the end of said subsection, and inserting in lieu thereof the words: "determine if it wants the disagreement subjected to arbitration. Within five (5) days after such determination, and after notice to the State Highway Commission, the Fish and Game Department shall then designate one person as an arbitrator and the Highway Commission shall designate another person as arbitrator. Within five (5) days after appointment of such arbitrator, said arbitrators shall agree upon a third person who shall be a licensed engineer and have no connection with either the Montana Highway Department or the Montana Fish and Game Department, and these three (3) persons shall be considered the Board of Arbitration. Within ten (10) days after such board is designated, the Arbitration Board shall meet, hear testimony and issue a decision signed by at least two (2) members of the committee which shall be binding on all parties. The expense of the third arbitrator shall be divided equally between the Montana Highway Commission and the Montana Fish and Game Department.";

And as amended, be concurred in.

That the Committee rise and report.

Report adopted.

LOMBARDI, Chairman

March 2, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 159, 179, 221, 249, 254, 283 and 332, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:30 o'clock, A.M., delivered to the Governor for his approval.

MURRAY, Chairman

March 2, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 21, 107, 125, 151, Senate Substitute for House Joint Memorial No. 6 and House Joint Resolution No. 14, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:30 o'clock, A.M., delivered to the Governor for his approval.

MURRAY, Chairman

Motion was made by Blewett that the House revert to Order of Business No. 6. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to the Committee on Appropriations:

House Bill No. 428, introduced by Adams, Bardanouve, Jenkins: A bill for an act entitled: "An act to appropriate money of certain state agencies for operation, capitol and grants and benefits for the biennium ending June 30, 1965."

House Bill No. 429, introduced by Mathers, Adams: A bill for an act entitled: "An act to appropriate money to the State Highway Commission, the State Advertising Agency, State Parks, and Fish and Game Commission for operation and capital for the biennium ending June 30, 1965."

Motion was made by Blewett that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

March 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 11, House Joint Resolution No. 17, House Bill No. 239, Substitute House Bill No. 295, Substitute House Bill No. 139 and House Bill No. 182.

SELSTAD

March 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Substitute House Bill No. 71, House Bills Nos. 210, 328 and 116.

SELSTAD

I have examined House Bill No. 210 introduced by me and find the same to be correct.

SEYMOUR

I have examined Substitute House Bill No. 71 introduced by Committee on Judiciary and find the same to be correct.

HAUGHEY

I have examined House Bill No. 328 introduced by me and find the same to be correct.

McNAMER

I have examined House Bill No. 116 introduced by me and find the same to be correct.

BROEDER

I have examined House Joint Memorial No. 11 introduced by me and find the same to be correct.

NICHOLS

I have examined House Joint Resolution No. 17 introduced by me and find the same to be correct.

HOLTZ

I have examined Substitute House Bill No. 295 introduced by me and find the same to be correct.

WRIGHT

I have examined House Bill No. 182 introduced by me and find the same to be correct.

WATT

I have examined House Bill No. 239 introduced by me and find the same to be correct.

SCHYE

I have examined Substitute House Bill No. 139 introduced by me and find the same to be correct.

WRIGHT

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 116 and 328, Substitute House Bill No. 71, House Bill No. 210, House Joint Memorial No. 11, House Joint Resolution No. 17, Substitute House Bills Nos. 139 and 295, House Bills Nos. 239 and 182.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 41, respectfully report as follows: That Senate Bill No. 41 be concurred in.

HAINES, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Memorial No. 1, respectfully report as follows: That House Memorial No. 1 do pass.

Report adopted.

HAINES, Chairman

MESSAGES FROM THE SENATE

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 131, introduced by Committee on Highways.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 1, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House:

House Bill No. 263, introduced by Lucas, Mathers, Schepens and Kvaalen.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Pierce that Substitute Senate Bill No. 45 be taken from Third Reading and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 430, introduced by Goan, Aasheim, Thompson: A bill for an act entitled: "An act to appropriate money to certain state institutions for operation and capital for the biennium ending June 30, 1965." Referred to Committee on Appropriations.

House Bill No. 431, introduced by Mathers, Laas: A bill for an act entitled: "An act to appropriate money to certain state agencies for operation, capital, grants and benefits for the biennium ending June 30, 1965." Referred to Committee on Appropriations.

House Bill No. 432, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating to the federal and private revenue fund, Capitol Building Account, all moneys paid into the general fund by state agencies as rent or charges for occupying office space in state buildings." Referred to Committee on Appropriations.

House Memorial No. 2, introduced by Tracy: A house memorial to the Honorable Stewart L. Udall, secretary of the interior; the Honorable Marling J. Ankeny, director of the Federal Bureau of Mines; the Honorable Senators Mike Mansfield and Lee Metcalf; the Honorable Congressmen Arnold Olsen and James Battin; the Honorable Tim Babcock, governor of the Sovereign State of Montana; the Honorable Harriet Miller, Superintendent of Schools of Montana; the Honorable Members of the Board of Education; and the Honorable Tom Collins, Director of the State Planning Board. Referred to Committee on Education.

THIRD READING OF SENATE BILLS

Dykstra requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Dykstra moved that the Call of the House be dispensed with. Motion carried.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 10, was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Broeder, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Haines, Hanks, Haughey, Hawks, Hemstad, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, Nutting, Rearden, Regan, Rehberg, Reinecke, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Turnage, Twedt, Watt, Weeks, Woodard, Mr. Speaker. Total 64.

Noes: Bashor, Beck, Brenner, Casey, Crum, Cummings, Davis, Gill, Good, Harper, Healy, Johnson, Laas, Lewis, Lombardi, Nash, O'Hair, Osburnsen, Pierce, Raundal, Rosell, Schepens, Schye, Smiley, Tracy, Wayrynen, Welch, Wright, Zimmer. Total 29.

Absent or not voting: Hibbard. Total 1.

Excused: None.

Senate Bill No. 55 was not concurred in by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bardanouve, Blewett, Broeder, Casey, Deschamps, Dykstra, East, Falkenstern, Haughey, Hemstad, Holtz, Jenkins, Jensen, Leuthold, Lund, Lundgren, Mathers, McNamer, Nash, Nutting, Raundal, Rearden, Regan, Rehberg, Reinecke, Selstad, Seymour, Smiley, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Mr. Speaker. Total 39.

Noes: Aasheim, Bailey, Bashor, Beam, Beck, Boughton, Bradford, Brenner, Crum, Cummings, Davis, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Lombardi, Lucas, Murray, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Rosell, Schepens, Schye, Shelden, Slaby, Smith, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer. Total 54.

Absent or not voting: Hibbard. Total 1.

Excused: None.

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Aasheim, Bailey, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen,

Falkenstern, Flynn, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, Murray, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 69.

Noes: Adams, Asbjornson, Baldwin, Bardanouve, Boughton, Broeder, Casey, Egan, Etchart, Garrison, Goan, Harper, Holtz, Lewis, McNamer, O'Hair, Selstad, Smiley, Smith, Weeks, Wright. Total 21.

Absent or not voting: Hibbard, Nash, Rearden, Spilde. Total 4.

Excused: None.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 75.

Noes: Broeder, Crum, East, Etchart, Goan, Hawks, Keller, Lund, Murray, Nash, Rosell, Selstad, Smiley, Smith, Thompson, Weeks. Total 16.

Absent or not voting: Boughton, Hanks, Hibbard. Total 3.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Lombardi of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 419 be amended in Section 3 in line 11, page 4 of the original bill, being line 34, page 4 of the printed bill, by inserting after the word "appropriated" the following words: "from the general fund";

Further amend in Section 3 by striking lines 12 through 17, page 7 of the original bill, being lines 118 through 122, page 7 of the printed bill in their entirety and substituting the following:

"(1) From the general fund, operation and capital	\$ 11,163.	\$ 11,315.
Salary for the head of the agency shall not exceed \$5,500.00 per year for each year of the biennium."		

Further amend in Section 3 in line 5, page 11 of the original bill, being line 211, page 10 of the printed bill, by deleting the figure "\$8,000.00" and inserting in lieu thereof the figure "\$8,500.00";

Further amend in Section 3 in line 31, page 13 of the original bill, being line 283, page 13 of the printed bill, by deleting the figure "\$10,-200.00" and inserting in lieu thereof the figure "\$10,800.00";

Further amend in Section 3 in line 21, page 14 of the original bill, being line 301, page 14 of the printed bill, by inserting after the word "expenditures" the following words: "from the general fund";

And as amended, do pass.

That House Bill No. 421 do pass.

That Substitute Senate Bill No. 45 be amended in Section 6 by deleting in line 2, page 3 of the original bill, being line 4, page 3 of the printed bill, the period (.) after the word "States" and inserting in lieu thereof the following punctuation and words: ", or in emergencies such as floods, ice jams or other conditions causing emergency handling.";

Further amend by adding a new section to read as follows:

"Section 7. This act shall not apply to any State Water Conservation Board irrigation project presently operating, or that may be constructed in the future or to any irrigation district project or any other irrigation project.";

Further amend by adding a new section to read as follows:

"Section 8. This act shall be effective until January 1, 1965.";

And as amended, be concurred in.

That Senate Amendments to House Bill No. 117 be concurred in.

That the Committee rise and report.

LOMBARDI, Chairman

Report adopted.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Motion was made by Blewett that the House revert to Order of Business No. 9. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Lombardi of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 41 be concurred in.

That the Committee rise and report.

LOMBARDI, Chairman

Report adopted.

March 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 419 and 421.

HARPER

Motion was made by Blewett that the House revert to Order of Business No. 7. Motion carried.

THIRD READING OF SENATE BILLS

Wayrynen requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Wayrynen moved that the Call of the House be dispensed with. Motion carried.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute Senate Bill No. 45 was concurred in by the following vote:

Ayes: Bailey, Baldwin, Bardanouve, Bashor, Blewett, Bradford, Broeder, Cummings, Davis, Flynn, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, Murray, Nelson, Northey, Nutting, Osburnsen, Pierce, Raundal, Regan, Rehberg, Rosell, Schepens, Shelden, Slaby, Spahr, Thompson, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer, Mr. Speaker. Total 53.

Noes: Adams, Asbjornson, Beam, Beck, Boughton, Casey, Crum, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Hawks, Hibbard, Jensen, Lund, McNamer, Nash, O'Hair, Reinecke, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Turnage, Weeks, Woodard, Wright. Total 33.

Paired: Aasheim, aye; Schye, no.

Absent or not voting: Brenner, Haines, Nichols, Rearden, Deschamps, Seymour. Total 6.

Excused: None.

Senate Bill No. 41 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 80.

Noes: Bardanouve, Johnson, Schye, Slaby, Twedt, Welch. Total 6.

Absent or not voting: Aasheim, Brenner, Deschamps, Haines, Harper, Nichols, Rearden, Seymour. Total 8.

Excused: None.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

House Bill No. 419 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Aasheim, Brenner, Haines, Nichols, Raundal, Rearden, Schye, Seymour. Total 8.

Excused: None.

House Bill No. 421 was passed by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Bashor. Total 1.

Absent or not voting: Aasheim, Brenner, Good, Haines, Harper, Nichols, Rearden, Schye, Seymour. Total 9.

Excused: None.

Senate Amendments to House Bill No. 117 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Regan, Rehberg, Reinecke, Schepens, Selstad, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Harper, Rosell, Wayrynen. Total 3.

Absent or not voting: Aasheim, Brenner, Haines, Nichols, Rearden, Schye, Seymour. Total 7.

Excused: None.

March 2, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 231, 184, 242, Substitute House Bill No. 101 and House Bill No. 98.

SELSTAD

I have examined House Bill No. 184 introduced by me and find the same to be correct.

SPAHR

I have examined House Bill No. 98 introduced by me and find the same to be correct.

SMITH

I have examined House Bill No. 242 introduced by me and find the same to be correct.

LEWIS

I have examined House Bill No. 101 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 231 introduced by me and find the same to be correct.

LUCAS

Motion was made by Blewett that the House revert to Order of Business No. 2. Motion carried.

CONFERENCE COMMITTEE REPORTS

We, your Joint Conference Committee appointed to consider the Senate Amendments to House Bill No. 217, beg leave to report as follows:

Amend Section 3, page 3, lines 7 and 8 of the printed bill, being page 3, line 9 of the original bill by striking the words and figures "three thousand two hundred dollars (\$3,200.00)" and inserting in lieu thereof the words and figures "three thousand four hundred dollars (\$3,400.00)";

Further amend Section 3, page 3, lines 12 and 13 of the printed bill, being page 3, lines 14 and 15 of the original bill by striking the words and figures "three thousand four hundred dollars (\$3,400.00)" and inserting in lieu thereof the words and figures "three thousand six hundred dollars (\$3,600.00)";

Further amend Section 3, page 3, line 17 of the printed bill, being page 3, lines 19 and 20 of the original bill by striking the words and figures "four thousand two hundred dollars (\$4,200.00)" and inserting in lieu thereof the words and figures "four thousand six hundred dollars (\$4,600.00)";

And as so amended, be concurred in .

FOR THE SENATE:

Bovey

Nixon

Edwards

FOR THE HOUSE:

Bradford

Jensen

Dykstra

Motion was made by Dykstra for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn,

Garrison, Gill, Goan, Good, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodward, Wright, Zimmer, Mr. Speaker. Total 75.

Noes: Boughton, Haughey, Keller, Kvaalen, Lundgren, McNamer, Murray, Selstad, Smiley, Smith. Total.

Absent or not voting: Aasheim, Brenner, Haines, Holtz, Laas, Nichols, Raundal, Rearden, Seymour. Total 9.

Excused: None.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 be amended as follows:

Amend Section 3 by inserting after line 14 on page 3 the following:

"From the general fund for the maintenance contract of the House of Representatives roll call machine	\$1,500.00	\$1,500.00"
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Further amend Section 3 in line 4 on page 3 by striking out the figures "\$58,765." and "\$59,550." and inserting in lieu thereof the following figures "\$57,265." and "\$58,050.";

And as so amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 be amended as follows:

Amend Section 3, line 27, page 5 of the original bil by deleting the figures "\$306,342." and "\$322,857." and inserting in lieu thereof the figures "\$316,842." and "\$333,357.";

And as amended, do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be concurred in.

HAWKS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Hawks, having voted on the prevailing side, moved that the House reconsider its action in failing to concur in Senate Bill No. 55 on Third Reading this day.

Substitute motion was made by Hanks that the motion to reconsider be laid on the table. Motion failed to carry.

Original motion by Hawks carried.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 231, 184, 242, Substitute House Bill No. 101, and House Bill No. 98.

Motion was made by Haughey that Senate Bill No. 55 be placed on Third Reading. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Broeder, Crum, Deschamps, Dykstra, East, Falkenstern, Flynn, Goan, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nutting, Pierce, Regan, Rehberg, Reinecke, Selstad, Smiley, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Mr. Speaker. Total 46.

Noes: Bailey, Bashor, Bradford, Casey, Cummings, Davis, Egan, Eskildsen, Etchart, Garrison, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Nelson, Northey, O'Hair, Osburnsen, Schepens, Shelden, Slaby, Smith, Stranahan, Tracy, Twedt, Watt, Wayrynen, Woodard, Wright. Total 36.

Paired: Seymour, aye; Spahr, no; Rearden, aye; Zimmer, no.

Absent or not voting: Aasheim, Brenner, Haines, Nichols, Raundal, Rosell, Schye, Welch. Total 8.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of General Orders be passed for the day. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Monday, March 4, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 4, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Beck, Haines, Hawks, Lewis, Lucas and Pierce, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

NICHOLS, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 101, respectfully report as follows: That Senate Bill No. 101 be concurred in.

NICHOLS, Vice-Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

March 2, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 159—Introduced by Pierce, O'Hair and Bailey.

House Bill No. 21—Introduced by Hibbard, Bardanouve, et al.

House Bill No. 125—Introduced by Hazelbaker and Dykstra.

House Bill No. 151—Introduced by Committee on Judiciary.

House Bill No. 221—Introduced by Smith, Woodard, Rosell, et al.

House Bill No. 179—Introduced by Keller, Crum, Healy, et al.

House Bill No. 107—Introduced by Smiley, Leuthold, et al.

House Bill No. 332—Introduced by McNamer, Pierce, et al.

House Bill No. 283—Introduced by Tooke and Mathers.

House Bill No. 254—Introduced by Northey, Deschamps, et al.

House Bill No. 249—Introduced by Regan and Broeder.

Senate Substitute for House Joint Memorial No. 6—Introduced by Committee on Local Government.

House Joint Resolution No. 14—Introduced by Haines and Bardanouve.

Sincerely yours,

TIM BABCOCK
Governor

March 1, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 385—Introduced by Dykstra and Haughey.

House Bill No. 142—Introduced by Dykstra, Judge, et al.

House Bill No. 223—Introduced by McNamer and Murray.

House Bill No. 276—Introduced by Lund, et al.

House Bill No. 300—Introduced by Judge.

House Bill No. 326—Introduced by Hibbard, et al.

House Bill No. 345—Introduced by Regan, et al.

House Bill No. 93—Introduced by Keller, Leuthold and Beam.

House Bill No. 61—Introduced by Business and Industry Committee.

House Bill No. 60—Introduced by Lucas, Selstad and McNamer.

House Bill No. 54—Introduced by Nash, Schye, et al.

Senate Substitute for House Bill No. 26—Introduced by Judiciary Committee.

House Bill No. 20—Introduced by Hibbard, Bardanouve, et al.

House Joint Resolution No. 9—Introduced by Murray.

House Joint Memorial No. 5—Introduced by Haines, Northey, Deschamps, Flynn and Watt.

House Bill No. 164—Introduced by Johnson, Davis, Lucas, Turnage and Wayrynen.

Senate Substitute for House Bill No. 209—Introduced by Committee on Local Government.

House Bill No. 312—Introduced by Schye and Spilde.

Sincerely yours,

TIM BABCOCK
Governor

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the following Resolution relating to the Joint Rules of the Senate and House of Representatives:

Senate Resolution No. 22 introduced by Groff:

Be It Resolved by the Senate of the State of Montana: That Joint Rules of House of Representatives and Senate be amended by adding Joint Rule No. 26 to read as follows:

"No. 26. Amendments by one house to a bill originating in the other house shall not be further amended by the originating house. For the purpose of this rule, a substitute bill of one house for a bill originating in the other house shall be deemed an amendment."

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Substitute for Senate Bill No. 109, and, on motion, requested the President to appoint a Conference Committee of three and a like committee be appointed by the Speaker of the House to confer on House Substitute for Senate Bill No. 109. The President appointed the following Senators to serve on this committee:

Senator Reider, Chairman

Senator Graham

Senator Rostad

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was directed to appoint a Conference Committee to confer with a previously appointed like committee from the House on Senate Amendments to House Bill No. 217. The President appointed the following Senators to serve on this Committee:

Senator Bovey, Chairman

Senator Nixon

Senator Edwards

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 69 introduced by Murray, Lucas.

House Bill No. 105 introduced by Mathers, et al.

House Bill No. 227 introduced by Keller, et al.

House Bill No. 255 introduced by Kvaalen, et al.

House Bill No. 296 introduced by Bardanouve, et al.

House Bill No. 317 introduced by Wright and Eskildsen.

House Joint Resolution No. 12 introduced by Seymour and Rosell.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House:

House Bill No. 340 introduced by Bashor and Beam.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

Substitute House Bill No. 7 introduced by Committee on State Administration.

House Bill No. 92 introduced by Deschamps, et al.

House Bill No. 133 introduced by Keller, et al.

Substitute House Bill No. 172 introduced by Committee on Education.

House Bill No. 193 introduced by Watt and Wright.

House Bill No. 234 introduced by Beck.

House Bill No. 237 introduced by Rehberg and Lucas.

House Bill No. 238 introduced by Rehberg and Lucas.

House Bill No. 243 introduced by Bardanouve and Turnage.

House Bill No. 250 introduced by Watt, et al.

House Bill No. 282 introduced by Committee on Business & Industry.

House Bill No. 309 introduced by Committee on Judiciary.

House Bill No. 310 introduced by Committee on Judiciary.

House Bill No. 313 introduced by Judge and Goan.

House Bill No. 366 introduced by Cummings, Welch and Schepens.

House Bill No. 392 introduced by Murray and Schye.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 166 introduced by Senate Committee on Public Health, Welfare and Safety.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for indefinite postponement by the Committee of the Whole, report adopted, and the same is herewith returned to the House:

House Bill No. 144 introduced by Jensen, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills failed to be concurred in on Third Reading this day and the same are herewith returned to the House:

House Bill No. 135 introduced by Pierce, Asbjornson.

House Bill No. 197 introduced by Leuthold, et al.

House Bill No. 356 introduced by Bardanouve.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Public Health, Welfare and Safety, report adopted, and the same is herewith returned to the House:

House Bill No. 347 introduced by Blewett, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 355 introduced by Committee on State Administration.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 2, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 167 introduced by Haughey, et al.

House Bill No. 262 introduced by Lucas and Haines.

House Bill No. 273 introduced by Swanz, et al.

House Bill No. 302 introduced by Lucas, Haines, McNamer.

House Bill No. 314 introduced by Judge and Goan.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Casey of Roosevelt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 5 be concurred in.

That consideration of appropriation House bills be advanced on the calendar.

That House Bill No. 422 do pass.

That House Bill No. 423 do pass.

That House Bill No. 424 do pass.

That House Bill No. 425 do pass.

That House Bill No. 427 do pass.

That House Bill No. 426 do pass.

That consideration of Senate Bills Nos. 30 and 101 be advanced on the calendar.

That Senate Bill No. 30 be concurred in.

That Senate Bill No. 101 be concurred in.

That the Committee rise and report and beg leave to sit again.

CASEY, Chairman

Report adopted.

March 4, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 422, 423, 424, 425, 427.

HARPER

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 426.

HARPER

Motion was made by Blewett that the House revert to Order of Business No. 8. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

House Bill No. 422 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Crum, Jensen, McNamer, Swanz, Wayrynen. Total 5.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

House Bill No. 423 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Kvaalen. Total 1.

Absent or not voting: Jensen, McNamer, Swanz. Total 3.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

House Bill No. 424 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey,

Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: McNamer, Swanz. Total 2.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

House Bill No. 425 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: McNamer, Swanz. Total 2.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

House Bill No. 427 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Swanz. Total 1.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

House Bill No. 426 was passed by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Turnage, Weeks, Woodard, Wright, Mr. Speaker. Total 56.

Noes: Aasheim, Bailey, Bardanouve, Bashor, Brenner, Cummings, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lombardi, O'Hair, Osburnsen, Raundal, Schepens, Shelden, Slaby, Tracy, Twedt, Watt, Wayrynen, Welch, Zimmer. Total 31.

Absent or not voting: Swanz. Total 1.

Excused: Beck, Haines, Hawks, Lewis, Lucas, Pierce. Total 6.

Motion was made by Blewett that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House Substitute for Senate Bill No. 109. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on House Substitute for Senate Bill No. 109: Etchart, Mathers, Stranahan.

March 4, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 338.

SELSTAD

March 4, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 335, 200, 137, 396, Substitute House Bills Nos. 397, 42 and 214 and House Joint Resolution No. 22.

SELSTAD

I have examined House Bill No. 335 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 396 introduced by me and find the same to be correct.

NICHOLS

I have examined House Bill No. 338 introduced by me and find the same to be correct.

BASHOR

I have examined House Bill No. 137 introduced by me and find the same to be correct.

SPAHR

I have examined House Joint Resolution No. 22 introduced by me and find the same to be correct.

ROSELL

I have examined Substitute House Bill No. 42 introduced by me and find the same to be correct.

HAUGHEY

I have examined Substitute House Bill No. 214 introduced by me and find the same to be correct.

WRIGHT

I have examined Substitute House Bill No. 397 introduced by me and find the same to be correct.

ADAMS

I have examined House Bill No. 200 introduced by me and find the same to be correct.

KELLER

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for this sitting. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Twedt that Senate Bill No. 34 be taken from the Committee on Public Health, Welfare and Safety and placed on General Orders. After debate, Haughey moved the previous question. Motion carried. Motion by Twedt failed to carry.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 396 and 335, Substitute House Bills Nos. 42 and 214, House Bills Nos. 200 and 338, Substitute House Bill No. 397, House Joint Resolution No. 22 and House Bill No. 137.

Motion was made by Blewett that the House revert to Order of Business No. 4. Motion carried.

MESSAGES FROM THE SENATE

March 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, introduced by the Special Committee on Classification and Appraisal, were this day recommended for non-concurrence by the Committee on Taxation, reports adopted, and the same are herewith returned to the House:

House Bill No. 403.

House Bill No. 404.

House Bill No. 405.

House Bill No. 407.

Substitute House Bill No. 408 introduced by Committee on Judiciary.

House Bill No. 409.

House Bill No. 410.

Substitute House Bill No. 411 introduced by Committee on Ways & Means.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 4, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 432, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

March 4, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 322, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Casey of Roosevelt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 432 be advanced to the top of the calendar.

That House Bill No. 432 do pass.

That Senate Amendments to House Bill No. 167 be advanced to the top of the calendar.

That Senate Amendments to House Bill No. 167 be not concurred in, but that a Conference Committee of three members be appointed by the Speaker and a like committee requested from the Senate.

That Senate Substitute for House Bill No. 166 be advanced to the top of the calendar.

That Senate Substitute for House Bill No. 166 be not concurred in, but that a Conference Committee of three members be appointed by the Speaker and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 105 be advanced to the top of the calendar.

That Senate Amendments to House Bill No. 105 be not concurred in, but that a Conference Committee of three members be appointed by the Speaker and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 227 be advanced to the top of the calendar.

That Senate Amendments to House Bill No. 227 be not concurred in, but that a Conference Committee of three members be appointed by the Speaker and a like committee requested from the Senate.

CASEY, Chairman

Report adopted.

The Speaker signed the following bills in open session, the titles having first been read: Senate Joint Resolution No. 6, Senate Bills Nos. 113, 57, 131, 18 and 196; Senate Joint Memorial No. 3, Senate Bills Nos. 73 and 74, Senate Joint Resolution No. 15, Senate Bills Nos. 117, 100, 99, 58, 204 and 35, Substitute Senate Bill No. 120, Senate Bill No. 125, Senate Joint Resolution No. 11, and Senate Bills Nos. 82, 84 and 85.

March 4, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 432.

HARPER

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committees:

To confer on Senate Amendments to House Bill No. 167: Haughey, Casey and Laas.

To confer on Senate Substitute for House Bill No. 166: Lucas, Spilde and Healy.

To confer on Senate Amendments to House Bill No. 105: Mathers, Swanz and Good.

Motion was made by Blewett that the House revert to Order of Business No. 2. Motion carried.

CONFERENCE COMMITTEE REPORTS

March 4, 1963

TO: THE PRESIDENT OF THE SENATE
SPEAKER OF THE HOUSE

The Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 81 beg leave to report as follows:

That Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 81 agrees to disagree and asks to be dissolved.

SENATE:

DURKEE

NEES

McDONNELL

HOUSE:

KELLER

SMILEY

SPAHR

MESSAGES FROM THE SENATE

March 4, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 135 introduced by Pierce and Ashbjornson.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

March 4, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to the following Senate Bills, and on motion requested the President to appoint a Confer-

ence Committee of three for each and requested that a like House Committee be appointed for each by the Speaker of the House to confer on the House Amendments:

Substitute Senate Bill No. 45—Senator Durkee, Chairman; Senator Schoonover, Senator Moritz.

Senate Bill No. 189—Senator Reardon, Chairman; Senator Jensen, Senator Cashmore.

Senate Bill No. 22—Senator Hauk, Chairman; Senator Hafferman, Senator Bentz.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

Motion was made by Blewett that the House accede to the request of the Senate and return to the Honorable Body House Bill No. 135. Motion carried.

Motion was made by Blewett that the Speaker appoint a Conference Committee with reference to House Amendments to Substitute Senate Bill No. 45. Motion carried.

Motion was made by Blewett that the Speaker appoint a Conference Committee with reference to House Amendments to Senate Bill No. 189. Motion carried.

Motion was made by Blewett that the Speaker appoint a Conference Committee with reference to House Amendments to Senate Bill No. 22. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on House Amendments to Substitute Senate Bill No. 45: Turnage, Murray and Gill.

THIRD READING OF SENATE BILLS

Motion was made by Blewett that the House pass consideration of Third Reading of Senate Bills for the day. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of business under General Orders be passed for the day. Motion carried.

Motion was made by Blewett that the House adjourn until 9:00 a.m., Tuesday, March 5, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 5, 1963

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Beck, Haines, Hawks, Lucas and Pierce, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

March 4, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 429 and 430, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

March 5, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 428 and 431, beg leave to report that the same have this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer on House Amendments to Senate Bill No. 189: Haughey, Turnage, Harper.

To confer on House Amendments to Senate Bill No. 22: Tooke, Smith, Raundal.

To confer on Senate Amendments to House Bill No. 227: Keller, Reinecke, Harper.

MESSAGES FROM THE GOVERNOR

March 4, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 22—Introduced by Hibbard, Bardanouve, Nichols.

Sincerely yours,

DAVID F. JAMES,
Acting Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Conference Committee heretofore appointed to meet with a like committee from the Senate on Senate Amendments to House Bill No. 66 be dissolved and that a new Conference Committee be appointed. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 66: Dykstra, Nichols, Wayrynen.

INTRODUCTION OF BILLS AND MEMORIALS

The following Memorial was introduced, read first and second times, and referred to the Committee on Public Health, Welfare and Safety:

House Memorial No. 3, introduced by Laas: A memorial of the House of Representatives acknowledging the recent reorganization of army reserve components and pledging its support of this program.

THIRD READING OF SENATE BILLS

Motion was made by Blewett that consideration of Third Reading of Senate Bills be passed for the present time. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Boughton of Garfield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 56 be placed at the top of the calendar.

That Senate Amendments to House Bill No. 56 be concurred in.

That Senate Substitute for House Bill No. 303 be concurred in.

That consideration of Senate Amendments for House Bill No. 94 be passed for the present time.

That Senate Amendments to House Bill No. 119 be concurred in.

That Senate Amendments to House Bill No. 183 be concurred in.

That Senate Amendments to House Bill No. 189 be concurred in.

That Senate Amendments to House Bill No. 271 be concurred in.

That Senate Amendments to House Joint Memorial No. 2 be concurred in.

That Senate Amendments to House Bill No. 174 be concurred in.

That Senate Amendments to House Bill No. 219 be concurred in.

That Senate Amendments to House Bill No. 304 be concurred in.

That Senate Amendments to Substitute House Bill No. 305 be concurred in.

That Senate Amendments to House Bill No. 358 be concurred in.

That Senate Amendments to House Bill No. 359 be concurred in.

That Senate Amendments to House Bill No. 360 be concurred in.

That Senate Amendments to House Bill No. 69 be concurred in.

That Senate Amendments to House Bill No. 255 be concurred in.

That Senate Amendments to House Bill No. 296 be concurred in.

That Senate Amendments to House Bill No. 317 be concurred in.

That Senate Amendments to House Joint Resolution No. 12 be concurred in.

That consideration of Senate Substitute for House Bill No. 355 be passed for the time being.

That Senate Amendments to House Bill No. 262 be concurred in.

That Senate Amendments to House Bill No. 273 be concurred in.

That consideration of Senate Amendments to House Bill No. 302 be passed for the time being.

That Senate Amendments to House Bill No. 314 be concurred in.

That House Bill No. 429 be amended in Section 3 by striking out in line 23, page 4 of the original bill, being line 68, page 5 of the printed bill, the figures "\$10,020." and inserting in lieu thereof the figures "\$10,920.";

Be further amended in Section 3, subsection (2), by striking out in their entirety lines 8 through 12, page 5 of the original bill, being lines 81 through 85, page 6 of the printed bill;

And as amended, do pass.

That the Committee rise and report.

BOUGHTON, Chairman.

Motion was made by Boughton for adoption of the Committee of the Whole report.

Substitute motion was made by Blewett that Senate Amendments to House Bill No. 262 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

Motion was made by Blewett that the House revert to Order of Business No. 7. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Broeder, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Schye, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: Baldwin, Beam, Casey, Crum, East, Keller, Kvaalen, Lewis, Raundal, Rosell, Schepens, Selstad, Seymour, Smiley, Thompson, Wright. Total 16.

Absent or not voting: Murray, Nichols. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Belwett, Boughton, Bradford, Brenner, Casey, Crum, Cum-

mings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Broeder, Hanks, Haughey, Lewis, Lundgren, Nutting, Raundal, Smiley, Thompson. Total 9.

Absent or not voting: Murray. Total 1.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Bill No. 101 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Hanks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Shelden, Smith, Spilde, Stranahan, Swanz, Tooke, Turnage, Twedt, Watt, Wayrynen, Woodard, Wright, Zimmer, Mr. Speaker. Total 73.

Noes: Egan, Flynn, Harper, Haughey, Keller, Seymour, Slaby, Smiley, Spahr, Thompson, Tracy, Weeks, Welch. Total 13.

Absent or not voting: Adams, Mathers, Murray. Total 3.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

Senate Amendments to House Bill No. 56 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Nelson, Nichols, Northey, Nutting, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: Aasheim, Bardanouve, Casey, Harper, Johnson, McNamer, Nash, O'Hair. Total 8.

Absent or not voting: Mathers, Murray. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Substitute for House Bill No. 303 was concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey,

Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 119 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Harper, Haughey, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Kvaalen, Laas, Leuthold, Lewis, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Hanks, Healy, Johnson, Keller, Lombardi. Total 5.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 183 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 82.

Noes: Falkenstern, Goan, Haughey, Keller, McNamer, Nutting, Selstad. Total 7.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 189 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper,

Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Welch. Total 1.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 271 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Casey, Crum, Cummings, Davis, Deschamps, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Lund, Mathers, Murray, Nelson, Nichols, Northey, Osburnsen, Raundal, Regan, Rehberg, Rosell, Schepens, Schye, Seymour, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Twedt, Watt, Wayrynen, Woodard, Wright, Zimmer, Mr. Speaker. Total 59.

Noes: Asbjornson, Baldwin, Brenner, Broeder, Dykstra, East, Harper, Hemstad, Hibbard, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lundgren, McNamer, Nash, Nutting, O'Hair, Reinecke, Selstad, Shelden, Smiley, Stranahan, Tracy, Turnage, Weeks. Total 27.

Absent or not voting: Rearden, Slaby, Welch. Total 3.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Joint Memorial No. 2 were concurred in by the following vote:

Ayes: Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Slaby, Smith, Spahr, Stranahan, Swanz, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Aasheim, Bashor, Deschamps, Keller, Selstad, Shelden, Smiley, Thompson, Welch, Woodard. Total 10.

Absent or not voting: Spilde, Tooke. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 174 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke,

Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: Adams, Cummings, East, Johnson, Nutting, Stranahan, Welch. Total 7.

Absent or not voting: Crum. Total 1.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 219 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bashor, Haughey, Stranahan. Total 3.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 304 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Goan, Jensen. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to Substitute House Bill No. 305 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 78.

Noes: Asbjornson, Bashor, Casey, Deschamps, East, Goan, Reinecke, Schye, Spilde, Stranahan, Wright. Total 11.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 358 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Bashor, Gill, Harper, Laas. Total 4.

Absent or not voting: Sheldon, Welch. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 359 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: Bashor, Gill, Laas. Total 3.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 360 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Bradford, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: Bashor, Brenner, Laas. Total 3.

Absent or not voting: Jenkins, Spilde. Total 2.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 69 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Beam, Bradford, Brenner, Casey, Deschamps, Egan, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Leuthold, Lewis, Lombardi, Lund, Mathers, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Woodard, Wright, Mr. Speaker. Total 55.

Noes: Adams, Baldwin, Bardanouve, Bashor, Blewett, Boughton, Broeder, Crum, Cummings, Davis, Dykstra, East, Eskildsen, Etchart, Goan, Haughey, Hemstad, Hibbard, Judge, Keller, Kvaalen, Laas, Lundgren, McNamer, Osburnsen, Raundal, Reinecke, Smiley, Smith, Spilde, Wayrynen, Weeks, Welch, Zimmer. Total 34.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 255 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Harper, Jensen. Total 2.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 296 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nelson, Nichols, Northey, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: East, Goan, Jensen, Nash, Nutting, Reinecke, Spilde, Turnage. Total 8.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 317 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 80.

Noes: Harper, Lewis, O'Hair, Wayrynen, Welch. Total 5.

Absent or not voting: Bardanouve, Bradford, Goan, Raundal. Total 4.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Joint Resolution No. 12 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tracy, Twedt, Watt, Wayrynen, Weeks, Woodard, Wright, Zimmer, Mr. Speaker. Total 82.

Noes: Jensen, Turnage. Total 2.

Absent or not voting: Lundgren, Schye, Spilde, Tooke, Welch. Total 5.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 273 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Blewett, Boughton, Broeder, Crum, Davis, Deschamps, Dykstra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Hanks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Laas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Rearden, Regan, Rehberg, Rosell, Schye, Seymour, Slaby, Smiley, Smith, Spahr, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: Bashor, Bradford, Brenner, Casey, Cummings, Eskildsen, Goan, Harper, Haughey, Jensen, Kvaalen, Leuthold, Lewis, Lombardi, Lundgren, O'Hair, Raundal, Reinecke, Schepens, Selstad, Shelden, Spilde, Stranahan, Wayrynen, Wright. Total 25.

Absent or not voting: None.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

Senate Amendments to House Bill No. 314 were concurred in by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Crum,

Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Welch, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Casey, Jenkins, Kvaalen, Schye, Spilde, Wright. Total 6.

Absent or not voting: Lewis, Reinecke, Weeks. Total 3.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

House Bill No. 432 was passed by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Lund. Total 1.

Excused: Beck, Haines, Hawks, Lucas, Pierce. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that consideration of General Orders be passed for this sitting. Motion carried.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

March 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 238, 392 and 243 and Substitute House Bill No. 7.

SELSTAD.

March 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 133, 366, 313 and 193.

SELSTAD.

I have examined House Bill No. 366 introduced by me and find the same to be correct.

CUMMINGS.

I have examined House Bill No. 313 introduced by me and find the same to be correct.

JUDGE.

I have examined House Bill No. 193 introduced by me and find the same to be correct.

WATT.

I have examined House Bill No. 133 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 392 introduced by me and find the same to be correct.

MURRAY.

I have examined House Bill No. 238 introduced by me and find the same to be correct.

REHBERG.

I have examined Substitute House Bill No. 7 introduced by me and find the same to be correct.

WRIGHT.

I have examined House Bill No. 243 introduced by me and find the same to be correct.

BARDANOUE.

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 392, 366, 193, 133, Substitute House Bill No. 7, House Bills Nos. 238, 243 and 313.

March 5, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Joint Memorial No. 11 and House Joint Resolution No. 17, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:35 o'clock, P.M., delivered to the Governor for his approval.

MURRAY, Chairman.

March 5, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 328, 182, 184, 210, 231, 239, 242, 98, 116, Substitute House Bills Nos. 295, 139, 101 and 71, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:35 o'clock, P.M., delivered to the Governor for his approval.

MURRAY, Chairman.

REPORTS OF SELECT COMMITTEES

To the President of the Senate, and
Speaker of the House

We, your joint committee appointed to consider proposals for study by the legislative council undertake the following projects during the 1963-64 interim:

1. Compile a cumulative bill index, as provided in House Resolution No. 7.

2. Study fidelity bonding requirements of Montana laws and actual procedures employed in bonding public officials as provided in House Joint Resolution No. 9.

3. Examine fees collected by state agencies, as provided in Senate Resolution No. 10.

4. Revise and clarify the laws relating to custodial institutions, as provided in Senate Joint Resolution No. 11.

5. Study the property classification law, as provided in House Joint Resolution No. 16.

6. Study legislative rules, as provided in Senate Joint Resolution No. 16.

7. Study the feasibility of inaugurating a comprehensive system of personnel management for state government, and of administratively consolidating the retirement systems for public employees, as provided in House Joint Resolution No. 17, and Senate Joint Resolution No. 12.

8. Study the operation, personnel system and administration of the Montana Liquor Control Act, as provided in House Joint Resolution No. 10.

9. Study investment practices of state government, as provided in Senate Joint Resolution No. 8.

10. Continue the study of government reorganization, as provided in Senate Resolution No. 13, which could include a study of the organization of various state agencies concerned with economic development and the attraction of industry as provided in House Joint Resolution No. 20.

We further recommend that the legislative council develop a program to achieve full development and utilization of water resources and related lands as provided in Senate Joint Resolution No. 11, and we further recommend that a line item appropriation of \$25,000 be made available in addition to the current appropriation request by the council for this specific purpose.

DUSSAULT, Chairman,
MELCHER,
MACKAY,
BARDANOUVE,
BEAM,
McDONNELL,
BRENNER,
DURKEE,
GOOD,
REGAN,
HOLTZ,
MATHERS.

Motion was made by Mathers for adoption of the committee report.
Motion carried.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate
The Speaker of the House

The Joint Conference Committee appointed to consider Substitute House Bill to Senate Bill 109 beg leave to report as follows:

The Joint Conference Committee appointed to consider Substitute

House Bill to Senate Bill 109 agrees to disagree and requests that it be dissolved, and that a new Joint Conference Committee be appointed.

For the Senate:

RIEDER,
GRAHAM,
ROSTAD.

For the House:

ETCHART,
MATHERS,
STRANAHAN.

Motion was made by Etchart for adoption of the Conference Committee report. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration the procedure for handling substitute bills, respectfully report as follows:

That following deliberation by the Joint Rules Committee, comprised of both house's Rules Committees, that effective as of March 4, 1963 at 10:00 A.M., the original bill will follow the amendment (substitute bill) back to the originating house.

BLEWETT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was directed to appoint new Conference Committees to confer with like committees from the House on Senate Amendment to House Bill No. 81 and House Substitute to Senate Bill No. 109 after the previous Conference Committees were unable to agree. The President named the following Senators to serve on these Committees:

Senate Amendment to House Bill No. 81: Nees, Chairman
Huntley
McDonnell

House Substitute to Senate Bill No. 109: Graham, Chairman
Melcher
Rostad

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 3 and House amendments to Senate Bill No. 10 and requested the President to appoint Conference Committees of three, and requested that like Committees be appointed by the Speaker of the House to confer on the House amendments. The following Conference Committees were appointed:

House Amendments to Senate Bill No. 3: Dussault, Chairman; McKeon, Cashmore.

House Amendments to Senate Bill No. 10: Nixon, Chairman; Dussault, Brenner.

Respectfully,

VEDA RICHARDSON
Assistant Secretary of the Senate

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the Senate dissolved the Conference Committee heretofore appointed to confer on Senate amendments to House Bill No. 66 and requested the President to appoint a new Committee to meet with a previously appointed Committee from the House to confer on Senate amendments to House Bill No. 66. The following Conference Committee was appointed:

House Bill No. 66—Senator Durkee, Chairman; Senator Jensen, Senator Lehrkind.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President this day was directed to appoint a Conference Committee of three to confer with a previously appointed like Committee from the House on Senate amendments to the following House Bills:

House Bill No. 105—Senator Michels, Chairman; Senator Mahoney, Senator Edwards.

House Bill No. 166—Senator O'Neill, Chairman; Senator Thiessen, Senator McElwain.

House Bill No. 167—Senator Reardon, Chairman; Senator Siderius, Senator Thomas.

House Bill No. 227—Senator Mahoney, Chairman; Senator Goodwin, Senator Breen.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House stand in recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a previously appointed like committee from the Senate on House Amendments to Senate Bill No. 3. Motion carried.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 3: Beck, Lund, Bardanoue.

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a previously appointed like committee from the Senate on House Amendments to Senate Bill No. 10. Motion carried.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 10: Murray, Hibbard, Welch.

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a previously appointed like committee from the Senate on Senate Amendments to House Bill No. 81. Motion carried.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 81: Keller, Smiley, Spahr.

The Speaker appointed the following Conference Committee on House Substitute for Senate Bill No. 109: Hibbard, Adams, Stranahan.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Boughton of Garfield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of House Bill No. 430 be passed for this sitting.

That consideration of House Bill No. 322 be placed at the bottom of the calendar.

That Senate Amendments to House Bill No. 94 be concurred in.

That Senate Substitute for House Bill No. 355 be not concurred in, but that a Conference Committee of three members be appointed, and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 262 be not concurred in, but that a Conference Committee of three members be appointed, and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 302 be not concurred in, but that a Conference Committee of three members be appointed, and a like committee requested from the Senate.

That House Bill No. 428 be amended in Section 3, lines 25 through 32, page 2 and line 4, page 3 of the original bill, being lines 5 through 11, page 3 of the printed bill by deleting these lines in their entirety;

Further amend Section 3 after line 27, page 3 of the original bill, being line 34, page 4 of the printed bill by adding the following: "Revenues received in excess of these amounts may be made available by approved budget amendment.";

Further amend Section 3 in line 23, page 4 of the original bill, being line 54, page 4 of the printed bill by deleting the words "State Controller" and inserting in lieu thereof the words "Department of Administration.";

Further amend Section 3 in line 25, page 4 of the original bill, being line 56, page 4 of the printed bill by deleting the figures "\$148,499." and "\$147,979." and inserting in lieu thereof the figures "\$199,524." and "\$199,904.";

Further amend Section 3 between lines 8 and 9, page 5 of the original bill, being between lines 67 and 68, page 5 of the printed bill by inserting the following subsections:

- | | | |
|--|------------|-------------|
| “(5) From the general fund for custody and maintenance of capitol buildings and grounds, operation and capital | \$ 65,850. | \$ 65,850. |
| (6) From the general fund for contracted janitorial and engineering maintenance | \$210,000. | \$210,000. |
| (7) From the federal and private revenue fund, capitol building account (formerly fund #120 for purchase of land in capitol area | \$ 15,000. | -0- |
| (8) From the federal and private revenue fund, capitol building account (formerly fund #120) for repair and maintenance of capitol buildings | \$ 20,000. | \$ 20,000.” |

Further amend Section 3 by striking out in line 27, page 5 of the original bill, being line 84, page 5 of the printed bill, the figures “\$316,842.” and “\$333,357.” and inserting in lieu thereof the figures “\$317,577.” and “\$334,092.”;

Further amend Section 3 in line 13, page 6 of the original bill, being line 98, page 6 of the printed bill by striking out the figures “\$15,000.” and inserting in lieu thereof the figures “\$17,000.”;

Further amend Section 3 in line 28, page 6 of the original bill, being line 113, page 6 of the printed bill by striking out the figures “\$300,000.” and inserting in lieu thereof the figures “\$320,000.”;

Further amend Section 3 in line 22, page 7 of the original bill, being line 134, page 7 of the printed bill by deleting the figures “\$7,800.” and inserting in lieu thereof the figures “\$7,500.”;

And as amended, do pass.

That House Bill No. 431 be amended in Section 3 by striking out in line 4, page 3 of the original bill, being line 9, page 3 of the printed bill, the figures “\$57,265.” and “\$58,050.”, and inserting in lieu thereof the figures “\$15,515.” and “\$14,715.”;

Further amend in Section 3 in line 21, page 6 of the original bill, being line 110, page 7 of the printed bill, by striking the figures “\$468,334.” and “\$466,604.” and inserting in lieu thereof the figures “\$471,334.” and “\$469,604.”;

Further amend in Section 3 in line 25, page 6 of the original bill, being line 114, page 7 of the printed bill, by striking the figures “\$138,875.” and “\$135,125.” and inserting in lieu thereof the following figures “\$143,275.” and “\$139,125.”;

Further amend in Section 3 by adding thereto after line 30, page 6 of the original bill, being after line 119 on page 7 of the printed bill, the following words and figures:

- “(4) From the general fund for the operation of a special division to employ two (2) competent persons to examine and investigate income and license returns filed by all persons, partnerships, corporations or others having or having had contracts with the State of Montana or any department or agency thereof, or any federal agency which has contracts for work or services to be performed within the State of Montana \$ 17,500. \$ 17,500.”

And as amended, do pass.

That House Bill No. 430 be considered at the present time.

That House Bill No. 430 be amended by striking Section 5 in its entirety, which is lines 28 through 32, page 2 and lines 1 through 12, page 3 of the original bill, being lines 1 through 15, page 3 of the printed bill;

Further amend Section 7 in line 21, page 3 of the original bill, being line 4, page 4 of the printed bill by adding after the words “claims committee” the following words: “Provided further that such list shall exclude all work orders and capital repair projects, and to further provide that the state custodial administrator shall have authority to add or delete any capital items if a change requested by any institution meets with his approval.”;

Further amend by renumbering Section 6 as Section 5 and all sections subsequent accordingly;

Further amend by changing all references to Section 7 in the body of the bill to read Section 6;

And as amended, do pass.

That House Bill No. 322 do pass.

Report adopted. BOUGHTON, Chairman

March 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 429.

HARPER.

Motion was made by Blewett that the House revert to Order of Business No. 2. Motion carried.

CONFERENCE COMMITTEE REPORTS

Mr. Speaker:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 reported as follows: The Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 105 agrees to disagree and asks to be dissolved, and requests another Conference Committee be appointed to meet with a like committee from the Senate.

For the Senate:

MICHEL,
MAHONEY,
EDWARDS.

For the House:

MATHERS,
SWANZ,
GOOD.

Motion was made by Mathers for adoption of the Conference Committee report. Motion carried. Report adopted.

MESSAGES FROM THE SENATE

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 148 and on motion requested the President to appoint a Conference Committee of three and requested that a like House Committee be appointed by the Speaker of the House to confer on the House amendments. The following Senators were appointed to the Committee:

House Amendments to Senate Bill No. 148—Senator Thiessen, Chairman; Senator Schoonover, Senator Ullom.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion this day, the Senate moved to withdraw their request from the House for a Conference Committee on House Amendments to Senate Bill No. 3.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTMENTS

Motion was made by Blewett that the House accede to the request of the Senate and appoint another Conference Committee of three to confer with a like committee from the Senate on Senate Amendments to House Bill No. 105. Motion carried.

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 105: Mathers, Swanz and Regan.

Motion was made by Blewett that the House accede to the request of the Senate and appoint a Conference Committee of three to confer with a like committee from the Senate on House Amendments to Senate Bill No. 148. Motion carried.

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 148: Northey, Wright and Watt.

Motion was made by Blewett that the Speaker dissolve the Conference Committee previously appointed to confer with a like committee from the Senate on House Amendments to Senate Bill No. 3, consisting of Beck, Lund and Bardanouve. Motion carried.

The Speaker appointed the following Conference Committees:

To confer on Senate Substitute for House Bill No. 355: Hawks, Beck and Eskildsen.

To confer on Senate Amendments to House Bill No. 262: Lucas, Haines and Rearden.

To confer on Senate Amendments to House Bill No. 302: Lucas, Haines and Rearden.

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that Third Reading of House Bills be passed for this sitting. Motion carried.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Wednesday, March 6, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 6, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-eight Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

March 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 428, 430, 431 and 322.

HARPER.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended as follows:

Be amended after line 11 of the original bill, being line 6 of the printed bill, by adding the following:

"Section 2. No money out of the above appropriation shall be used to pay dues to the Council of State Governments.";

And as so amended, do pass.

HAWKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 do not pass.

HAWKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 5, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 272 introduced by Dykstra and Turnage.

House Bill No. 275 introduced by Judge, Zimmer, Lundgren, Tooke.

House Bill No. 406 introduced by Special Committee on Classification and Appraisal.

Substitute House Bill No. 413 introduced by Committee on Judiciary.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 5, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on:

Senate Amendments to House Bill No. 217.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Hawks that House Bill No. 429 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Blewett that the House stand in recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Motion was made by Blewett that the House revert to Order of Business No. 2. Motion carried.

CONFERENCE COMMITTEE REPORTS

March 5, 1963

To: The President of the Senate
The Speaker of the House

We, your Joint Conference Committee appointed to consider House Amendments to Substitute Senate Bill No. 45, beg leave to report as follows:

That the Senate accede to the House amendment amending Section 2, lines 29 and 30, page 1 of the original bill, being Section 2, lines 10 and 11, page 2 of the printed bill.

That the House recede from the House amendment in Section 5, subsection 2, beginning on line 22, page 2 of the original bill, being Section 5, subsection 2, beginning on line 10, page 3 of the printed bill, and inserting in lieu thereof, after the word "immediately" in line 22 of the original bill, being line 10 of the printed bill, the following: "determine if it wants the disagreement subjected to arbitration. Within ten (10) days after such determination, and after notice to the agency involved, the Fish and Game Commission shall then designate one person as an arbitrator and the agency involved shall designate another person as an arbitrator. Within five (5) days after appointment of such arbitrators, said arbitrators shall agree upon a third person who shall have no connection with either the agency involved or the Montana Fish and Game Department, and these three (3) persons shall be considered the Board of Arbitration. Within ten (10) days after such board is designated, the Arbitration Board shall meet, hear testimony and issue a decision signed by at least two members of the Arbitration Board. Such decisions shall be binding on all parties concerned. The expense of the third arbitrator shall be divided equally between the agency involved and the Montana Fish and Game Department. All other expenses of arbitration shall be borne by the Fish and Game Department."

That the Senate accede to the House amendment in Section 6, line 1, page 3 of the original bill, being Section 6, line 4, page 3 of the printed bill.

That the Senate accede to the House amendment adding Section 7, on page 3 of the original bill, being page 3 of the printed bill, as follows: "This act shall not apply to any State Water Conservation Board Irrigation project presently operating, or that may be constructed in the future or to any irrigation district project or any other irrigation project."

That the House recede from the House amendment by striking Section 8 in its entirety and inserting in lieu thereof the following: "Section 8. This act shall be in full force and effect until July 30, 1965."

And as amended, be adopted.

For the Senate:

DURKEE,
SCHOONOVER,
MORITZ.

For the House:

TURNAGE,
MURRAY,
GILL.

Motion was made by Murray for the adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, Eskildsen, Flynn, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Raundal, Rearden, Regan, Rehberg, Rosell, Schepens, Shelden, Slaby, Smiley, Stranahan, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 67.

Noes: Adams, Beck, Casey, East, Etchart, Falkenstern, Garrison, Nutting, Smith, Spilde, Woodard, Wright. Total 12.

Absent or not voting: Broeder, Egan, Leuthold, Lewis, Lundgren, Osburnsen, Pierce, Reinecke, Schye, Selstad, Seymour, Spahr, Swanz, Turnage. Total 14.

Excused: Gill. Total 1.

MOTIONS AND RESOLUTIONS

The following resolution were read:

HOUSE RESOLUTION NO. 19

Introduced by Haines, Bardanouve.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE SECRETARY OF STATE INVESTIGATE ALTERNATIVE MEANS OF PROVIDING ADEQUATE PROTECTION FOR THE ORIGINAL CONSTITUTION OF THE STATE OF MONTANA TOGETHER WITH THE ESTIMATED COSTS AND REPORT HIS FINDINGS TO THE THIRTY-NINTH LEGISLATIVE ASSEMBLY.

WHEREAS, second only to his responsibility to the Almighty, it is the solemn duty of every free man to preserve for posterity the priceless freedoms which our fathers have bestowed upon us, and

WHEREAS, the fundamental concepts of freedom and democratic government have been conveyed to us chiefly through written documents of the past, and

WHEREAS, of paramount importance among those documents upon which the government of Montana is founded is the original Constitution of the State, and

WHEREAS, this irreplaceable document is the foundation upon which all of the state government is based, being the original grant of authority from the citizens of the state to the officers of government, and

WHEREAS, at the present time, this document is filed in the office of the secretary of state, and

WHEREAS, although all possible steps have been taken by that office to protect the document, it has deteriorated to a marked degree because of the variations in temperature and humidity, and also by exposure to light, and

WHEREAS, the legislative assembly would be grossly negligent in its duty to the present and future citizens of the state if all possible steps were not taken to protect and preserve this fundamental and unique document of state government, and

WHEREAS, as elected representatives of the people, the duty to initiate actions preserving our priceless political and historical heritage should be a responsibility that we face with pride and forthright action. NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives hereby notes that the original Constitution of the State of Montana is an irreplaceable document of extreme worth to all citizens of the state, and that steps should be initiated immediately directed at providing maximum protection for this document.

BE IT FURTHER RESOLVED, that the secretary of state is requested to take any steps possible immediately which would provide better protection for the original Constitution, to investigate all alternative means of providing the best care possible for this document, and report his findings and recommendations to the Thirty-ninth Legislative Assembly.

BE IT FURTHER RESOLVED, that the clerk of the house is instructed to send copies of this resolution to the governor and to the secretary of state.

Motion was made by Haines for adoption of the Resolution. Motion carried.

HOUSE RESOLUTION NO. 20

Introduced by Bashor, Keller.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES FOR THE APPOINTMENT OF AN INTERIM COMMITTEE TO STUDY THE ECONOMIC CONDITION OF THE OIL AND GAS PRODUCING INDUSTRY OF MONTANA AND TO REPORT ITS FINDINGS TO THE THIRTY-NINTH LEGISLATIVE ASSEMBLY.

WHEREAS, for several years more oil and gas has been produced than discovered, resulting in a decline of Montana's petroleum reserves; and

WHEREAS, refining capacity in Montana is increasing at a much greater pace than production of crude, which will result in changing the State from a net exporter of crude to a net importer of crude; and

WHEREAS, the geological, geophysical and exploratory drilling efforts have declined in most of Montana's prospective producing areas, resulting in a sharp reduction of risk capital expenditures; and

WHEREAS, ranchers, farmers, Indians, the State and Federal governments are experiencing a decline in leasing bonus and rental income; and

WHEREAS, production of oil from stripper wells is being threatened by economic conditions within the State of Montana; and

WHEREAS, the decline of exploratory effort, and the decline of petroleum reserves seriously affects the economy of Montana and the economic welfare of each of its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That a special interim committee composed of eleven (11) members who shall be residents of the State of Montana be appointed by the Governor of the State of Montana to make a comprehensive investigation of the economic condition of the oil and gas producing industry of Montana and to report its findings to the Thirty-ninth Legislative Assembly on or before January 4, 1965.

That the power to appoint such interim committee shall be effective immediately upon adoption and approval of this resolution.

Motion was made by Bashor for adoption of the Resolution. Motion carried.

HOUSE RESOLUTION NO. 21

Introduced by Committee on Appropriations.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE DEPARTMENT OF ADMINISTRATION RE-EVALUATE AND INCREASE, WHERE NECESSARY, THE RENTALS AND CHARGES PAID BY DEPARTMENTS OF STATE GOVERNMENT OCCUPYING OFFICE SPACE IN STATE BUILDINGS, AND STUDY THE SPACE NEEDS AND RENTALS PAID BY ALL STATE AGENCIES IN THE HELENA AREA.

WHEREAS, at the present time some departments of state government that are supported by special funds make rental payments to the capitol custodian for space allocated to them in state buildings, and

WHEREAS, these rental payments are placed in the general fund by the capitol custodian, rather than being used for maintenance and repair of state buildings, and

WHEREAS, as a consequence, when major maintenance or repair projects are necessary, the legislature is requested to make an appropriation from the general fund for these purposes, and

WHEREAS, if realistic rentals were charged, and if these funds were used for the maintenance of state buildings, the Legislative Assembly would not so often be faced with large requests for building repair and maintenance to be appropriated from the general fund, and

WHEREAS, in its study of the custody and maintenance of capitol buildings and grounds the legislative council reported that "the state does not have a consistent or equitable policy for charging special fund departments for rent or utilities," and

WHEREAS, a number of state agencies are paying rent for occupying privately-owned office space in the Helena area.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Department of Administration is hereby requested to compile information on rentals and other charges paid by various departments of state government to the capitol custodian, and to reevaluate and increase such rentals where necessary, so that they accurately reflect the cost to the state resulting from the occupancy of state buildings by departments financed in whole or in part by special funds.

BE IT FURTHER RESOLVED, that the State Controller commence such study immediately so that equitable rentals can be put into effect on July 1, 1963.

BE IT FURTHER RESOLVED, that the department of administration review the space needs for all state agencies with offices in the Helena area.

BE IT FURTHER RESOLVED, that the department of administration compile complete information of rentals paid for the leasing of private buildings by state agencies in the Helena area.

BE IT FURTHER RESOLVED, that the department of administration is requested to submit a written report of their findings, together with recommendations for improvements, to the Thirty-ninth Legislative Assembly.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is instructed to send copies of this resolution to the Governor and to the State Controller.

Motion was made by Hawks for adoption of the Resolution. Motion carried.

Without objection, the House reverted to Order of Business No. 3.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 69, respectfully report as follows: That Senate Bill No. 69 be not concurred in.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Substitute Senate Joint Resolution No. 9, respectfully report as follows: That Substitute Senate Joint Resolution No. 9 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 be amended as follows:

In Section 3, line 9, page 3 of the original (engrossed) bill, being line 11, page 3, of the printed bill, by striking the figures "\$23,920,025.00" and inserting in lieu thereof the figures "\$23,845,025.00" and adding the following between lines 9 and 10 of the original bill, being lines 11 and 12 of the printed bill:

"(a) For the purpose of acquiring lands adjacent to the Capitol grounds \$75,000.00"

And be further amended in Section 3 by striking all the words and figures from lines 21 through 31, page 3 and lines 1 through 30, page 4 of the original bill, being lines 20 through 70, pages 3, 4 and 5 of the printed bill, and inserting in lieu thereof the following:

"Salary for the head of the department shall not exceed \$15,840.00 per year for each year of the biennium to be paid from the earmarked revenue fund."

And be further amended in Section 3 in lines 17 and 18, page 6 of the original bill, being lines 117, 118 and 119, page 7 of the printed bill, by striking after the word "the" the following: "provisions of House Resolution No. 13." and inserting in lieu thereof the following:

"following provisions:

(a) The Montana Fish and Game Commission shall give all possible consideration in future land acquisitions to the possible effects upon the tax structure and economy of the counties in which such acquisitions may be proposed, by making such investigations as may be appropriate, by giving adequate notice of intent to purchase substantial holdings, both by publicity and paid advertising, by consulting with the board of commissioners and other county officials, and, where advisable, by holding a public hearing in the community closest to the proposed purchase for the purpose of determining the views of the citizens of that county; and

(b) The Montana Fish and Game Commission shall exercise due care in making land acquisitions, and shall refrain from making any purchases which would have a substantial adverse economic effect upon the county in which located."

And as so amended, do pass.

HAWKS, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate
The Speaker of the House

We, your Joint Conference Committee on House Amendments to Senate Bill No. 189, respectfully report as follows:

That the House recede from its amendments to Senate Bill No. 189 and that Senate Bill No. 189 be amended as follows:

1. Amend the title, line 9, page 1 of the original bill, being line 6, page 1 of the printed bill, by deleting the word "where" and inserting in lieu thereof the word "if".

2. Amend the title in line 10, page 1 of the original bill, being line 7, page 1 of the printed bill, by inserting after the words "are available" the words: "and if the lowest bid of a Montana resident responsible bidder is not more than 2% higher than the lowest bid of a nonresident;"

3. Amend Section 1, line 23, page 1 of the original bill, being line 9, page 1 of the printed bill, following the word "bidder" by inserting the words: "if his bid is not more than 2% higher than the bid of the lowest bidder who is a nonresident of this state:"

4. Amend Section 1, lines 25, 26, 27 and 28, page 1 of the original bill, being lines 11, 12, 13 and 14, pages 1 and 2 of the printed bill, by striking the words "have the label of the branch of the international typographical union [of the city] "or the allied printing trades council of the locality" in which they are printed, "except under the following conditions:" and inserting in lieu thereof the words: "bear the label of the branch of the international typographical union, the allied printing trades council or the amalgamated lithographers of America of the locality in which they are printed, except under the following conditions:"

5. Amend Section 1, line 29, page 1 of the original bill, being line 15, page 2 of the printed bill, by striking out after the word "said" the word "label" and inserting in lieu thereof the word "labels".

For the Senate:

REARDON, Chairman,
JENSEN,
CASHMORE.

For the House:

HAUGHEY, Chairman,
HARPER,
TURNAGE.

Motion was made by Haughey for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Goan, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Dykstra, Hawks, Jenkins. Total 3.

Excused: Gill. Total 1.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 22

Introduced by Judge.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES DIRECTING THE LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF THE ORGANIZATION OF THE VARIOUS STATE AGENCIES IN MONTANA CONCERNED WITH THE ECONOMIC DEVELOPMENT AND ATTRACTION OF INDUSTRY TO THE STATE.

WHEREAS, at the present time forty-nine of the fifty states have a planning agency incorporated into state government for the purpose of promoting business and industry in the state, and

WHEREAS, in recent years a number of states have recognized that an integrated, single agency of state government can most efficiently promote industry and economic development in the state, and

WHEREAS, at the present time Montana has several agencies of state government that are concerned with economic development and the attraction of new industry to the state, and

WHEREAS, although these agencies have done a laudable job within their various fields of major responsibility, the keen competition to attract new industries and promote economic expansion among the state requires that the state constantly re-examine its effort with a view toward improving its programs, and

WHEREAS, bills to reorganize the agencies responsible for administering such programs were introduced in both the House of Representatives and Senate during the Thirty-eighth Session, and

WHEREAS, the development of new industries and economic expansion of the state will result in benefits to all the citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council study the organization of the various agencies of state government concerned with economic development, and the attraction of industry to determine if a reorganization of such agencies would result in more effective administration, and

BE IT FURTHER RESOLVED, that the Legislative Council compare the effort exerted by Montana to attract new industry and promote the economic expansion of the state with the effort of other states, and

BE IT FURTHER RESOLVED, that the Legislative Council submit a written report of this study to the Thirty-ninth Legislative Assembly, together with implementing legislation where necessary, and

BE IT FURTHER RESOLVED, that the secretary of state is instructed to send a copy of this resolution to the executive director of the Legislative Council.

Motion was made by Judge for adoption of the Resolution. Motion carried.

March 5, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 309, 217 and 310, and Substitute House Bill No. 172.

SELSTAD.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 189, 219, 183 and 237, and Senate Substitute for House Bill No. 303.

SELSTAD.

I have examined House Bill No. 219 introduced by me and find the same to be correct.

HIBBARD.

I have examined House Bill No. 237 introduced by me and find the same to be correct.

REHBERG.

I have examined Senate Substitute for House Bill No. 303 introduced by Senate Committee on Highways and find the same to be correct.

SEYMOUR.

I have examined House Bill No. 183 introduced by me and find the same to be correct.

SPAHR.

I have examined House Bill No. 189 introduced by me and find the same to be correct.

SMITH.

I have examined House Bill No. 310 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 217 introduced by me and find the same to be correct.

BRADFORD.

I have examined Substitute House Bill No. 172 introduced by me and find the same to be correct.

KVAALLEN.

I have examined House Bill No. 309 introduced by me and find the same to be correct.

HAUGHEY.

The Speaker signed the following bills in open session, the titles having first been read: House Bill No. 219, Senate Substitute for House Bill No. 303, House Bills Nos. 183, 189, 237, 217 and 310, Substitute House Bill No. 172 and House Bill No. 309.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 433, introduced by Hawks: A bill for an act entitled: "An act to appropriate money to the department of public institutions for operation and capital for the biennium ending June 30, 1965."

THIRD READING OF HOUSE BILLS

Motion was made by Blewett that consideration of Third Reading of House Bills be passed for the present time. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Northey of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 59 be amended in Section 1 by striking out in line 9 of the original bill, being line 4 of the printed bill, the words and figures "seventy-five thousand dollars (\$75,000.00)", and inserting in lieu thereof the words and figures "eighty-seven thousand two hundred dollars (\$87,200.00)";

Be further amended by deleting Section 2 in its entirety;

And as amended, do pass.

NORTHEY, Chairman.

Report adopted.

Motion was made by Blewett that the House revert to Order of Business No. 8. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

Senate Amendments to House Bill No. 94 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 75.

Noes: Boughton, Crum, Haughey, Rosell, Woodard. Total 5.

Absent or not voting: Adams, Bashor, Harper, Hibbard, Lundgren, Murray, Nichols, Raundal, Reinecke, Smith, Stranahan, Tooke. Total 12.

Excused: Gill, Keller. Total 2.

House Bill No. 428 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Adams, Harper, Hibbard, Murray, Nichols, Raundal, Reinecke, Smith, Stranahan, Tooke. Total 10.

Excused: Gill, Keller. Total 2.

House Bill No. 430 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum,

Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Spilde, Swanz, Thompson, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: None.

Absent or not voting: Adams, Harper, Hibbard, Jensen, Nichols, Raundal, Reinecke, Smith, Stranahan, Tooke, Turnage. Total 11.

Excused: Gill, Keller. Total 2.

House Bill No. 431 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: Harper. Total 1.

Absent or not voting: Adams, Hibbard, Nichols, Raundal, Stranahan. Total 5.

Excused: Gill. Total 1.

House Bill No. 322 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Beam, Beck, Broeder, Casey, Crum, Deschamps, Dykstra, East, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Jensen, Judge, Keller, Laas, Leuthold, Lewis, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Northey, Nutting, Rehberg, Reinecke, Rosell, Schepens, Seymour, Shelden, Smiley, Spahr, Swanz, Thompson, Tooke, Tracy, Turnage, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 57.

Noes: Bardanouve, Bashor, Blewett, Boughton, Bradford, Brenner, Cummings, Davis, Egan, Flynn, Hanks, Harper, Holtz, Jenkins, Johnson, Kvaalen, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Selstad, Slaby, Smith, Twedt, Watt, Mr. Speaker. Total 27.

Absent or not voting: Aasheim, Adams, Hibbard, Nichols, Pierce, Regan, Schye, Spilde, Stranahan. Total 9.

Excused: Gill. Total 1.

Motion was made by Blewett that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 do pass.

HAWKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 6, 1963.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee was appointed to confer with a like committee from the House on Senate Amendments to House Bill No. 105.

The second Conference Committee appointed to consider Senate Amendments to House Bill No. 105 were: Senator Siderius, Chairman; Senator McKeon, Senator Thomas.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 23

Introduced by Aasheim, Thompson, Bardanouve.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING THAT THE LEGISLATIVE COUNCIL UNDERTAKE A LIMITED RECODIFICATION OF THE SCHOOL LAWS OF THE STATE.

WHEREAS, the present school laws of the State of Montana have not been examined with a view toward recodification since the establishment of the foundation program more than twenty years ago, and

WHEREAS, during the twenty year period, vast social and economic changes have occurred which affect our public schools, and

WHEREAS, changes to adapt school laws to these different conditions have resulted in laws which are extremely complex, ambiguous, and difficult to interpret, and

WHEREAS, this complexity mitigates against a clear understanding of the laws by citizens, school boards, and school administrators, and

WHEREAS, the lack of a clear understanding results in much time and effort being expended merely in comprehending and interpreting the laws of the state, and

WHEREAS, a recodification could make the school laws of the state simple, clear, and much more workable, and

WHEREAS, at the present time a major obstacle to voluntary consolidation or abandonment of school districts are the very complex procedures outlined in Montana laws for such consolidation or abandonment, and

WHEREAS, Montana statutes pertaining to the establishment and operation of high schools are particularly ambiguous and conflicting.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the legislative council is hereby requested to undertake a limited recodification of Montana school laws with particular emphasis on the laws relating to consolidation or abandonment of school districts, and the laws relating to the establishment and operation of high schools.

BE IT FURTHER RESOLVED, that the legislative council is requested to examine other school laws of the state, with particular reference to budget and finance laws, and make suggestions for further recodification.

BE IT FURTHER RESOLVED, that the legislative council is requested to submit a written report of its findings, together with recommended bills to effect a limited recodification of school laws and suggestions for further action, to the Thirty-ninth Legislative Assembly.

BE IT FURTHER RESOLVED, that the clerk of the House is instructed to send copies of this resolution to members of the board of education, to the superintendent of public instruction, and to the executive director of the legislative council.

Motion was made by Aasheim for adoption of the Resolution. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Northey of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 429 do pass.

NORTHEY, Chairman.

Report adopted.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 41, 72, 33, 146, 144, 143, 142, 134, 103, 102, 56 and 83.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 81 beg leave to report as follows:

The Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 81 agrees that the Senate recede from the Senate Amendment to House Bill No. 81 and asks to be dissolved.

For the Senate:

NEES,
HUNTLEY,
McDONNELL.

For the House:

KELLER,
SMILEY,
SPAHR.

Motion was made by Keller for adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Seymour, Shelden, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 81.

Noes: Casey, Harper, Lund, Slaby, Twedt. Total 5.

Absent or not voting: Bashor, Haughey, Kvaalen, Murray, Nichols, Raundal, Schye, Selstad. Total 8.

Excused: None.

Motion was made by Blewett that the House stand in recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee, appointed to consider House Amendments to Senate Bill No. 10, respectfully report as follows:

That the Senate accede to the House amendments with the exception of the following:

"Amend Section 17, in lines 3 and 4, page 8 of the original bill, being lines 8 and 9, page 8 of the printed bill, by deleting the words "Under the supervision and with the approval of the board of examiners," and capitalizing the first letter of the word "solicit".

Further amend Section 17, in lines 7 and 8, page 8 of the original bill, being line 11, page 8 of the printed bill, by deleting the words and punctuation as follows: ", with the consent of the board of examiners,".

Amend Section 19, in lines 9 and 10, page 9 of the original bill, being line 5 of the Section 19, page 9 of the printed bill, by deleting the words "and the state board of examiners".

That the House recedes from the foregoing quoted amendments.

Further that Section 24, page 11, lines 7 through 22 of the original bill, being Section 24, pages 11 and 12, lines 1 through 16 of the printed bill, be stricken in entirety and that the following sections be renumbered accordingly.

That the title in line 13, page 1 of the original bill, being line 12, page 1 of the printed bill, be amended by striking the figures and punctuation "75-210,".

For the Senate:

NIXON, Chairman,
DUSSAULT,
BRENNER.

For the House:

MURRAY, Chairman,
HIBBARD,
WELCH.

Motion was made by Hibbard for adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Cumings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Spahr, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Beck, Boughton, Casey, Crum, Goan, Rosell, Smith, Wright. Total 8.

Absent or not voting: Dykstra, Harper, Kvaalen, Lundgren, Schye, Spilde, Turnage. Total 7.

Excused: None.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be not concurred in.

KELLER, Chairman
BALDWIN
BECK
REINECKE
NASH
CRUM
WEEKS
BASHOR
SELSTAD

Motion was made by Keller for adoption of the Majority committee report.

Mr. Speaker: We, the Minority of your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be concurred in.

TWEDT
BRADFORD
SCHEPENS
REARDEN
HEALY

Motion was made by Twedt for adoption of the Minority committee report.

After debate, Bradford moved the previous question. Motion carried. Bradford requested a roll call vote be taken with the results thereof to be recorded in the Journal. Sufficient seconds arose. Keller asked for a Call of the House, sufficient seconds arose, and the Speaker ordered a

Call of the House. Progress having been shown, Keller moved that further Call of the House be dispensed with. Motion carried.

Roll call vote was taken and the substitute motion for adoption of the Minority report failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Bradford, Brenner, Cummings, Davis, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Healy, Johnson, Judge, Laas, Lewis, Lombardi, O'Hair, Osburnsen, Raundal, Rearden, Schepens, Shelden, Slaby, Stranahan, Tracy, Twedt, Watt, Wayrynen, Welch, Wright, Zimmer. Total 33.

Noes: Adams, Asbjornson, Bailey, Baldwin, Bashor, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Deschamps, East, Egan, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Holtz, Jenkins, Jensen, Keller, Kvaalen, Leuthold, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Spilde, Swanz, Thompson, Tooke, Turnage, Weeks, Woodard, Mr. Speaker. Total 59.

Absent or not voting: Dykstra, Hibbard. Total 2.

Excused: None.

Original motion by Keller carried. Majority report adopted.

March 6, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 237, 238, 243, 189, 193, 217 and 219, Senate Substitute for House Bill No. 303, House Bills Nos. 137, 309, 310, 313, 366, and 392, Substitute House Bill No. 7, House Bill No. 133, Substitute House Bill No. 172 and House Bill No. 183, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:40 o'clock p.m. delivered to the Governor for his approval.

MURRAY, Chairman.

March 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 429.

HARPER.

March 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 59.

HARPER.

MESSAGES FROM THE GOVERNOR AND SENATE

March 5, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 98—Introduced by Smith, Welch, Gill and Pierce.

Substitute House Bill No. 71—Introduced by Committee on Judiciary

Substitute House Bill No. 101—Introduced by Committee on Judiciary

House Bill No. 116—Introduced by Broeder.

Substitute House Bill No. 139—Introduced by Committee on State Administration.

House Bill No. 184—Introduced by Spahr, Keller and Blewett.

House Bill No. 182—Introduced by Watt, Flynn, Deschamps, et al.

House Bill No. 231—Introduced by Lucas and Dykstra.

House Bill No. 242—Introduced by Lewis.

House Bill No. 328—Introduced by McNamer, Pierce, Beam, et al.

House Bill No. 210—Introduced by Seymour, Lewis and Swanz.

House Bill No. 239—Introduced by Schye and Swanz.

Substitute House Bill No. 295—Introduced by Committee on State Administration.

House Joint Memorial No. 11—Introduced by Nichols, Hawks, Holtz, Mathers, et al.

House Joint Resolution No. 17—Introduced by Holtz, Selstad, Hibbard, et al.

Sincerely yours,

TIM BABCOCK,
Governor.

March 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bill was this day recommended for non-concurrence by the Committee on Education, report adopted, and the same is herewith returned to the House:

House Bill No. 156, introduced by Goan, Healy, Laas, Hawks.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President this day was directed to appoint a Conference Committee of three to confer with a previously appointed like Committee from the House on Senate Amendments to the following House Bills. The following Conference Committees were appointed:

Senate Amendments to House Bill No. 262:

Senator McKenna, Chairman
Senator Goodwin
Senator Mackay

Senate Amendments to House Bill No. 302:

Senator McKenna, Chairman
Senator Goodwin
Senator Mackay

Senate Substitute for House Bill No. 355:

Senator Cumming, Chairman

Senator Beley

Senator Rostad

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Hawks that House Bill No. 59 be taken from Third Reading and rereferred to the Committee on Appropriations. After debate, Spahr moved the previous question. Motion carried. Motion by Hawks carried.

Motion was made by Blewett that House Bill No. 59 be taken from the Committee on Appropriations and placed on General Orders. Motion carried.

Motion was made by Blewett that the House revert to Order of Business No. 4. Motion carried.

MESSAGES FROM THE SENATE

March 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Joint Memorial No. 15—Introduced by Boughton, et al.

House Joint Resolution No. 6—Introduced by Special Committee on
Classification and Appraisal

House Joint Resolution No. 18—Introduced by Beam and Haughey

House Joint Resolution No. 21—Introduced by Special Committee on
Classification and Appraisal.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 6, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Education, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 158—Introduced by Committee on Education.

Respectfully,

VEDA RICHARDSON,
Assistant Secretary of the Senate.

March 6, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 433, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 429 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lund, Lundgren, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rehberg, Reinecke, Rosell, Schepens, Schye, Seymour, Shelden, Slaby, Smiley, Smith, Stranahan, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 78.

Noes: Bashor, Bradford, Harper, O'Hair, Spahr. Total 5.

Absent or not voting: Adams, Jensen, Kvaalen, Lucas, Mathers, Rearden, Regan, Selstad, Spilde, Swanz, Turnage. Total 11.

Excused: None.

March 6, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 304, 317, 69 and 250.

MURRAY, Chairman.

I have examined House Bill No. 317 introduced by me and find the same to be correct.

WRIGHT.

I have examined House Bill No. 304 introduced by me and find the same to be correct.

WRIGHT.

I have examined House Bill No. 69 introduced by me and find the same to be correct.

MURRAY.

I have examined House Bill No. 250 introduced by me and find the same to be correct.

WATT.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 317, 304, 69 and 250.

Motion was made by Blewett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Goan requested a Call of the House. Sufficient seconds arose and the Speaker ordered a Call of the House. Progress having been shown, Goan moved that the Call of the House be dispensed with. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Northey of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 59 do pass.

That House Bill No. 433 do pass.

NORTHEY, Chairman.

Report adopted.

Motion was made by Haughey that the House revert to Order of Business No. 5. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that House Bill No. 59 be considered correctly engrossed. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 59 was passed by the following vote:

Ayes: Aasheim, Adams, Bailey, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Harper, Haughey, Healy, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, McNamer, Murray, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Schepens, Seymour, Shelden, Slaby, Spahr, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Zimmer, Mr. Speaker. Total 62.

Noes: Asbjornson, Baldwin, Bashor, Boughton, Broeder, Casey, Crum, East, Etchart, Falkenstern, Garrison, Goan, Haines, Hawks, Hemstad, Lund, Mathers, Nash, Nelson, Reinecke, Rosell, Schye, Selstad, Smiley, Smith, Stranahan, Thompson, Woodard, Wright. Total 29.

Absent or not voting: Lucas, Lundgren, Spilde. Total 3.

Excused: None.

Motion was made by Blewett that the House adjourn until 10:00 a.m., Thursday, March 7, 1963. Motion carried.

House adjourned.

FRANK W. HAZELBAKER, Speaker.

WILLIAM WALRATH, Chief Clerk.

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 7, 1963

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Broeder, Goan, and Thompson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

BLEWETT, Chairman

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider House Substitute for Senate Bill 109 beg leave to report as follows:

The Joint Conference Committee appointed to consider House Substitute for Senate Bill 109 has agreed that they cannot agree on House Substitute for Senate Bill 109 and asks the Committee to be dissolved and a new one appointed.

For the Senate:

GRAHAM, Chairman

MELCHER

ROSTAD

For the House:

HIBBARD

ADAMS

STRANAHAN

Motion was made by Adams for adoption of the Conference Committee report. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed by the Committee on Legislative Administration of the House, be dropped from the payroll effective as of March 8, 1963:

Shirley Baertsch.....	Typist
Bernice N. Beaver.....	Typist
Shirley D. Bowman.....	Mail Clerk
Martha Pool Brass.....	Stenographer
Rev. William Burkhardt.....	Chaplain
Dorothy A. Carlson.....	Proof Reader
Ethel M. Chandler.....	Mimeograph Clerk
Maxine M. Clarke.....	Stenographer
Lois H. Combs.....	Typist
Aline S. Conway.....	Stenographer
Jean M. Delaney.....	Proof Reader
Carmen H. Dewey.....	Typist

Anna May DeWolf.....	Proof Reader
Carol J. DeWolf.....	Mail Clerk
Ivye C. Eccles.....	Proof Reader
William Elliott.....	Mimeograph Clerk
Terry W. Ellis.....	Mimeograph Clerk
Lucy A. Fluhr.....	Proof Reader
William E. Fearon.....	Mimeograph Clerk
Mary Louise Graham.....	Stenographer
D'Elta Claire Guthrie.....	Proof Reader
Kathlyn A. Helfert.....	Assistant Bills
C. Lee Hoatson.....	Mail Clerk
Beverly A. Hould.....	Typist
Mildred J. Johnson.....	Proof Reader
Linda Kirby.....	Stenographer
Jennie H. Lee.....	Typist
Agnes P. Mannix.....	Mimeograph Clerk
Mary Marron.....	Stenographer
Helen B. Misowic.....	Stenographer
Mary Ann Mockel.....	Mimeograph Clerk
Mary Jean Morrison.....	Proof Reader
Cheryl O'Hern.....	Stenographer
Myrtle L. O'Leary.....	Proof Reader
Katherine Ranf.....	Typist
Norma V. Rogness.....	Mimeograph Clerk
Alice L. Rose.....	Stenographer
Frances Satterthwaite.....	Proof Reader
Ruth M. Saunders.....	Typist
Ethelyn M. Schneider.....	Secretary Sergeant
Lila S. Schwefel.....	Stenographer
Jerome A. Sullivan.....	Proof Reader
Alice E. Taylor.....	Mimeograph Clerk
Barbara J. Young.....	Assistant Engrossing Clerk
Donna G. Yelle.....	Mimeograph Clerk
Donna Zimmerman.....	Stenographer
Sandra Rose Olson.....	Stenographer
Betty J. Kelleher.....	Stenographer
Helen Immel.....	Chief Proof Reader

Cleo Robinson.....Engrossing Clerk

Frank Smith.....Printing Clerk

NICHOLS, Chairman

Report adopted.

March 6, 1963

Mr Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 273.

SELSTAD

I have examined House Bill No. 273 introduced by me and find the same to be correct.

SWANZ

MESSAGES FROM THE SENATE

March 6, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on the following:

House Amendments to Senate Bill No. 45.

House Amendments to Senate Bill No. 189.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 24

Introduced by Harper, Sheldon, Lombardi, Flynn, Tracy, Judge.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE THIRTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA DIRECTING THE MONTANA STATE UNEMPLOYMENT COMPENSATION COMMISSION TO COOPERATE FULLY WITH A GROUP OF SIX (6) MEN, THREE (3) MEN FROM LABOR AND THREE (3) MEN FROM MANAGEMENT, TO STUDY THE UNEMPLOYMENT LAWS OF MONTANA AND OTHER STATES; SAID GROUP TO SERVE WITHOUT COMPENSATION AND PRESENT TO THE MEMBERS OF THE THIRTY-NINTH LEGISLATIVE ASSEMBLY A PROGRAM, PLAN AND PROPOSED BILL ON UNEMPLOYMENT BENEFITS BY NOT LATER THAN DECEMBER 1, 1964; COPIES OF THIS RESOLUTION TO GO TO CERTAIN PERSONS; AUTHORIZING CHAIRMAN OF THE MONTANA UNEMPLOYMENT COMPENSATION COMMISSION TO REQUEST THE MAJOR LABOR AND MANAGEMENT ORGANIZATIONS TO SUBMIT THE NAMES OF AT LEAST FIVE (5) MEN TO REPRESENT LABOR AND OF AT LEAST FIVE (5) MEN TO REPRESENT MANAGEMENT WITHIN SIXTY (60) DAYS AFTER PASSAGE OF THE RESOLUTION; CHAIRMAN OF UNEMPLOYMENT COMPENSATION COMMISSION TO THEN APPOINT THREE (3) MEN FROM EACH ORGANIZATION TO COMMITTEE.

WHEREAS, The unemployment compensation fund program has caused great concern to businessmen, labor, the general public and to members of the Legislative Assembly of Montana for several sessions, and

WHEREAS, A need exists that a study be made of this unemployment compensation problem by members of labor and business appointed by labor and business groups, and

WHEREAS, this study group on unemployment compensation laws would serve the state of Montana in great value by having a plan, program and proposed bill on this subject to save the legislature much valuable time spent on this problem.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE THIRTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

(1) That six (6) men be appointed to study the unemployment compensation benefits problem in Montana, appointments to be made by the Chairman of the Montana Unemployment Compensation Commission after his requesting the major Labor and Management Organizations of Montana to submit the names of at least five (5) men each, Chairman of Unemployment Compensation Commission to then appoint from list submitted three (3) men from Labor and three (3) men from Management to serve on committee.

(2) That the Montana Unemployment Compensation Commission be directed to co-operate fully with this group;

(3) That the six (6) appointed men from Labor and business study the following:

(a) Past unemployment compensation laws.

(b) Present unemployment compensation laws.

(c) Unemployment compensation laws of the other several states.

(d) The desires of businessmen and labor representatives who desire to appear before the committee.

(4) That the six (6) appointed men from labor and business submit to the members of the Thirty-ninth Legislative Assembly not later than December 1, 1964 the following:

(a) A proposed program on the unemployment compensation program.

(b) A proposed unemployment compensation bill agreed to by all members of the committee.

BE IT FURTHER RESOLVED, that said committee of six (6) appointed from business and labor shall serve without compensation,

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, the Secretary of State, the Attorney General, the members of the Unemployment Compensation Commission and to the six (6) members appointed, three (3) from management and three (3) from labor.

Motion was made by Harper for adoption of the Resolution. Motion failed to carry.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Conference Committee to consider Senate Amendments to House Bill No. 302, respectfully report as follows:

That the House accede to the first Senate amendment;

That the House accede to the second Senate amendment;

That the House accede to the third Senate amendment;

That the fourth Senate amendment be amended by the Conference Committee by striking the entire fourth amendment and inserting in lieu thereof the following:

Amend Section 11 (1) in line 17, page 8 of the original bill, being line 13, page 10 of the printed bill, by deleting in line 13 the words and figures "six (6)" and inserting in lieu thereof the words and figures "four and one-half (4½)";

That the House accede to the fifth Senate amendment;

That the House accede to the sixth Senate amendment;

That the House accede to the seventh Senate amendment;

And as so amended be concurred in.

For the Senate:

McKENNA

GOODWIN

MACKAY

For the House:

LUCAS

HAINES

REARDEN

Motion was made by Lucas for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bashor, Beam, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Tooke, Tracy, Twedt, Watt, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: Spilde. Total 1.

Absent or not voting: Adams, Bardanouve, Schye, Turnage, Wayryn-en. Total 5.

Excused: Aasheim, Broeder, Goan, Laas, Thompson. Total 5.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 433.

HARPER

Motion was made by Blewett that the House advance to Order of Business No. 8. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 433 was passed by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Schye, Seymour, Shelden, Slaby, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 77.

Noes: Bashor, Bradford, Brenner, Harper, O'Hair, Raundal, Rosell, Smiley, Smith. Total 9.

Absent or not voting: Adams, Schepens, Selstad. Total 3.

Excused: Aasheim, Broeder, Goan, Laas, Thompson. Total 5.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Conference Committee to consider Senate amendments to House Bill No. 262, respectfully report as follows:

That the Senate amendment to House Bill No. 262 be amended by the Conference Committee by striking the entire amendment and inserting in lieu thereof the following:

Amend Section 5 (6) in lines 29 and 30, page 4 of the original bill, being lines 37, page 5 of the printed bill, by deleting the following words and figures: "owners of forty (40) percent of the taxable valuation of the real property" and inserting in lieu thereof the words and figures: "forty (40) per cent of the freeholders".

And as so amended be concurred in.

For the Senate:

McKENNA

GOODWIN

MACKAY

For the House:

LUCAS

HAINES

REARDEN

Motion was made by Lucas for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Schye, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Adams, Hawks. Total 2.

Excused: Aasheim, Broeder, Goan, Laas, Thompson. Total 5.

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill 148, beg leave to report as follows:

That the Senate accede to the House Amendment in Section 3, lines 19 through 21, page 2 of the original bill.

That the Senate accede to the House Amendment in Section 4, lines 3 through 5, page 3 of the original bill.

That the Senate accede to the House Amendment in Section 5, lines 25 through 27, page 3 of the original bill.

That the Senate accede to the House Amendment in Section 5, lines 19 and 20, page 4 of the original bill.

That the Senate accede to the House Amendment in Section 5, lines 25 and 26, page 4 of the original bill.

That the Senate accede to the House Amendment in Section 5, line 30, page 4 of the original bill.

That the Senate accede to the House Amendment in Section 7, line 10, page 6 of the original bill.

That the Senate accede to the House Amendment in Section 7, line 15, page 6 of the original bill.

That the Senate accede to the House Amendment in Section 13, line 15, page 11 of the original bill.

That the Senate accede to the House Amendment in Section 13, lines 21 through 30, page 11 of the original bill.

That the Senate accede to the House Amendment in Section 13, line 1, page 12 of the original bill.

And as so amended be adopted.

For the Senate:

THIESSEN, Chairman

ULLOM

SCHOONOVER

For the House:

NORTHEY

WATT

WRIGHT

Motion was made by Northey for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Asbjornson, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Bradford, Brenner, Casey, Crum, Cummings, Davis, Deschamps, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Murray, Nash, Nelson, Nich-

ols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Stranahan, Swanz, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Adams, Boughton, Dykstra, Hawks, Schye, Spilde. Total 6.

Excused: Aasheim, Broeder, Goan, Laas, Thompson. Total 5.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 174, 359, 360, 92, 358, 119, 314, 406, 282, 272, 255 and Substitute House Bill No. 305.

SELSTAD

I have examined House Bill No. 358 introduced by me and find the same to be correct.

MATHERS

I have examined Substitute House Bill No. 305 introduced by Committee on Highways and find the same to be correct.

SELSTAD

I have examined House Bill No. 119 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 314 introduced by me and find the same to be correct.

JUDGE

I have examined House Bill No. 272 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 92 introduced by me and find the same to be correct.

DESCHAMPS

I have examined House Bill No. 255 introduced by me and find the same to be correct.

KVAALLEN

I have examined House Bill No. 174 introduced by me and find the same to be correct.

MATHERS

I have examined House Bill No. 359 introduced by me and find the same to be correct.

MATHERS

I have examined House Bill No. 282 introduced by Committee on Business and Industry and find the same to be correct.

DYKSTRA

I have examined House Bill No. 406 introduced by Special Committee on Classification and Appraisal and find the same to be correct.

HAUGHEY

I have examined House Bill No. 360 introduced by me and find the same to be correct.

MATHERS

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 282 and 273, Substitute House Bill No. 305, House Bills Nos. 119, 314, 272, 92, 255, 358, 360, 359, 174 and 406.

Motion was made by Blewett that the House revert to Order of Business No. 4. Motion carried.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a new Conference Committee of three and requested that a like House Committee be appointed by the Speaker of the House to confer on House Substitute to Senate Bill No. 109.

The third Conference Committee appointed to consider House Substitute to Senate Bill No. 109 were:

Senator Melcher, Chairman

Senator Rostad

Senator DeWolfe

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Speaker appoint a Conference Committee of three members to confer with a previously appointed like committee from the Senate on House Substitute for Senate Bill No. 109. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 25

Introduced by Beck, Bashor, Reinecke, Stranahan, Turnage.

WHEREAS, it appears that expense involved in retaining a public relations firm, agency or employee to promote the purposes of the State Liquor Control Board does not constitute an expenditure within the purview of Title 4 of the Revised Codes of Montana, 1947; and

WHEREAS, it further appears that in adopting rules and regulations promulgated under Title 4, Revised Codes of Montana, 1947, the Montana Liquor Control Board has assumed certain powers and duties not conferred upon it by the legislative assembly of the State of Montana in permitting the selling, stocking, and handling of certain wines in state liquor stores and also retail establishments, in wine containers which do not have affixed thereto the official seal and stamp which the Montana Liquor Control Board has prescribed;

NOW, THEREFOR, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Montana Liquor Control Board and the state liquor control administrator are urged to take such further action and proceedings as may be expedient and proper for the effectuation of the purposes of this resolution.

BE IT FURTHER RESOLVED that the state liquor control administrator report to the House of Representatives of the State of Montana

on or before January 15, 1965, the actions and proceedings the Montana Liquor Control Board and the state liquor control administrator have taken to effectuate the purposes of this resolution.

BE IT FURTHER RESOLVED that copies of this resolution be delivered to the Governor of the State of Montana, the Attorney General of the State of Montana, the Montana Liquor Control Board and the administrator of the Montana Liquor Control Board.

Motion was made by Bashor for adoption of the Resolution. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 26

Introduced by Watt, Eskildsen, Schepens, Cummings, Davis, Welch, Shelden, Bradford, Harper, O'Hair, Twedt, Johnson.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES COMMENDING THE DEPARTMENT OF PUBLIC INSTRUCTION ON THE SUPERIOR MANNER IN WHICH IT IS SERVING THE INTERESTS OF EDUCATION IN MONTANA.

WHEREAS, the Department of Public Instruction is charged with the general administration of the public elementary and secondary schools of Montana, and

WHEREAS, the increasing emphasis on education occasioned by the "cold war", increased mechanization, increased complexity of modern life, and increased enrollments is throwing additional duties on the Department of Public Instruction, and

WHEREAS, these additional duties have been prescribed by recent legislative assemblies, including the directive that the State Department of Public Instruction administer the program of federal aid to impacted areas and other specialized programs of federal aid including the provisions of the National Defense Education Act, and

WHEREAS, the State Department of Public Instruction must give unusual amounts of service to county superintendents because the low pay of these officials will not attract competent people into the position, and

WHEREAS, notwithstanding the magnitude of the job and the diversity of supervision and services required the work has been done in a manner which has improved instruction and brought Montana schools to a new high of accomplishment.

NOW, THEREFOR, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA, that the Superintendent of Public Instruction and the personnel of her department are hereby commended and thanked for the superior manner in which their duties have been performed.

Motion was made by Watt for adoption of the Resolution. After debate, Lucas moved the previous question. Motion carried. Original motion by Watt for adoption of the Resolution failed to carry.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 296, 275, 234, 117 and 271 and Substitute House Bill No. 413.

I have examined House Bill No. 234 introduced by me and find the same to be correct.

BECK

I have examined House Bill No. 275 introduced by me and find the same to be correct.

JUDGE

I have examined Substitute House Bill No. 413 introduced by the Committee on Judiciary and find the same to be correct.

HAUGHEY

I have examined House Bill No. 271 introduced by me and find the same to be correct.

CRUM

I have examined House Bill No. 296 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 117 introduced by me and find the same to be correct.

BARDANOUE

March 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 200, 335, 396 and 338, Substitute House Bills Nos. 42, 214 and 397 and House Joint Resolution No. 22, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 o'clock, A.M., delivered to the Governor for his approval.

MURRAY, Chairman

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 234, 117, 296 and 271, Substitute House Bill No. 413 and House Bill No. 275.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee on Senate Substitute for House Bill No. 166, respectfully report as follows:

That we cannot agree on the acceptance of said Senate Substitute for House Bill No. 166, and have agreed to disagree; and that we, therefore, request that the conference committee be dissolved.

For the Senate:

O'NEILL, Chairman
THIESSEN
McELWAIN

For the House:

LUCAS, Chairman
SPILDE
HEALY

Motion was made by Lucas for adoption of the Conference Committee report. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Substitute for Senate Bill No. 109: Hibbard, Stranahan and Hawks.

Motion was made by Blewett that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill 22, beg leave to report as follows:

That the Senate accede to the House Amendment in line 5 of the title of the original bill, being line 2 of the title of the printed bill.

Amend in line 5 of the title of the original bill, being line 3 of the title of the printed bill, by striking out the word "wildlife" and inserting in lieu thereof the word "rabbit".

Further amend in lines 11 and 12 of the original bill, being line 1 of the printed bill, after the word and figure "Section 1.", by striking out the balance of line 11 and the word "exception" on line 12 of the original bill, being line 1 of the printed bill.

That the Senate accede to the House Amendment in Section 1, line 12 of the original bill, being Section 1, line 2 of the printed bill.

Further amend in Section 1, line 13 of the original bill, being line 3 of the printed bill, after the word "any" by striking out the word "wildlife" and inserting in lieu thereof the word "rabbit".

That the Senate accede to the House Amendment in Section 1, line 16 of the original bill, being line 5 of the printed bill.

That the Senate accede to the House Amendment in Section 1, lines 16 through 25 of the original bill, being lines 5 through 13 of the printed bill.

That the Senate accede to the House Amendment adding Section 2, line 26 of the original bill, being line 14 of the printed bill, as follows: "Section 2. Enforcement of this act shall be the responsibility of all local peace officers as well as fish and game wardens."

And as so amended be adopted.

For the Senate:

HAUK

HAFFERMAN

BENTZ

For the House:

TOOKE

RAUNDAL

SMITH

Motion was made by Tooke for adoption of the Conference Committee report. Substitute motion was made by Blewett that the Conference Committee report be referred to the Rules Committee. Substitute motion carried.

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider Senate Substitute to House Bill No. 355 report as follows: That the House accede to Senate Substitute to House Bill No. 355.

For the Senate:

CUMMING

ROSTAD

BELEY

For the House:

HAWKS

BECK

ESKILDSEN

Motion was made by Hawks for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dyktsra, East, Egan, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Keller, Kvaalen, Leuthold, Lewis, Lombardi, Lund, Mathers, McNamer, Murray, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Asbjornson, Crum, Eskildsen, Judge, Lucas, Lundgren, Nutting, Schye. Total 8.

Excused: Broeder, Laas. Total 2.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 56, House Joint Resolution No. 12 and House Joint Memorial No. 2.

SELSTAD

I have examined House Bill No. 56 introduced by me and find the same to be correct.

CRUM

I have examined House Joint Resolution No. 12 introduced by me and find the same to be correct.

SEYMOUR

I have examined House Joint Memorial No. 2 introduced by me and find the same to be correct.

JENSEN

The Speaker signed the following bills in open session, the titles having first been read: House Joint Memorial No. 2, House Joint Resolution No. 12 and House Bill No. 56.

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 275, 296, 304, 314, 317, 406, 413, 282 and Substitute House Bill No.

305, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, p.m., delivered to the Governor for his approval.

SELSTAD

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 69, 92, 117, 119, 234, 250, 271, 272 and 273, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock p.m., delivered to the Governor for his approval.

SELSTAD

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations:

House Bill No. 434, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the State Training School and Hospital."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 do pass.

HAWKS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration Joint Conference Committee report on House Amendments to Senate Bill 22, respectfully report as follows: That said report be not adopted, for the reason that said conference struck out matters agreed to and passed by both houses and included therein matters not within the disagreements submitted to them by the two houses.

BLEWETT, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

Senate Substitute for House Bill No. 414, introduced by Finance and Claims Committee.

House Bill No. 423, introduced by Committee on Appropriations.

Respectfully,

VEDA RICHARDSON
Assistant Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 135, introduced by Pierce and Asbjornson.

House Bill No. 367, introduced by Haughey, et al.

House Bill No. 418, introduced by Committee on Appropriations.

House Bill No. 422, introduced by Committee on Appropriations.

House Bill No. 424, introduced by Committee on Appropriations.

House Bill No. 425, introduced by Committee on Appropriations.

House Joint Resolution No. 13, introduced by Goan.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bill was this day read third time and not concurred in, and is herewith returned to the House:

House Joint Memorial No. 16, introduced by Goan.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 beg leave to report as follows:

The Joint Conference Committee appointed to consider House Bill No. 105 has agreed that they cannot agree on Senate Amendments to House Bill No. 105 and asks the Committee to be dissolved and a new Conference Committee be appointed to meet with a like committee from the Senate.

For the Senate:

SIDERIUS, Chairman

McKEON

THOMAS

For the House:

MATHERS

SWANZ

REGAN

Motion was made by Mathers for adoption of the Conference Committee report. Motion carried.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 434, beg leave to report that the same has this date been returned from the printer correctly printed.

NASH, Vice-Chairman

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on the following:

House Amendments to Senate Bill No. 10.

House Amendments to Senate Bill No. 148.

Senate Amendments to House Bill No. 81.

Senate Amendments to House Bill No. 302.

Senate Amendments to House Bill No. 262.

Senate Substitute for House Bill No. 355.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Keller that the Conference Committee appointed to meet with a like committee from the Senate to consider Senate Amendments to House Bill No. 227 be discharged and that a new committee be appointed and that the Senate be requested to appoint a new Conference Committee. Motion carried.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider House Substitute for Senate Bill No. 109, beg leave to report as follows:

The Conference Committee is unable to agree, therefore we respectfully request discharge and that another conference committee be appointed.

For the Senate:

MELCHER

DeWOLFE

ROSTAD

For the House:

HIBBARD

HAWKS

STRANAHAN

Motion was made by Hibbard for adoption of the Conference Committee report. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

Motion was made by Blewett that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 105. Motion carried.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 105: Mathers, Beam, Aasheim.

Motion was made by Blewett that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on House Substitute for Senate Bill No. 109. Motion carried.

The Speaker appointed the following Conference Committee on House Substitute for Senate Bill No. 109: Wright, Woodard, Bashor.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Substitute for House Bill No. 414 be not concurred in, but that the Speaker appoint a conference committee of three to meet with a like committee from the Senate.

That Senate Amendments to House Bill No. 423 be concurred in.

That consideration of House Bill No. 434 be passed for this sitting.

DYKSTRA, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 423 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanoue, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstein, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Asbjornson, Lewis, Lucas, Murray, Nutting, Schye, Spahr, Turnage, Woodard. Total 9.

Excused: Laas. Total 1.

The Speaker appointed the following members to the Legislative Council: Mathers, Etchart, Hibbard, Bardanoue, Wayrynen, Regan.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 215, respectfully report as follows: That Senate Bill No. 215 be not concurred in.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 52, respectfully report as follows: That Substitute House Bill No. 52 do not pass.

HAUGHEY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

HAUGHEY, Chairman

Report adopted.

CONFERENCE COMMITTEE APPOINTMENTS

Motion was made by Blewett that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 227. Motion carried.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 227: Seymour, Reinecke, Zimmer.

Motion was made by Blewett that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on Substitute House Bill No. 414. Motion carried.

The Speaker appointed the following Conference Committee on Substitute House Bill No. 414: Nichols, Haines, Laas.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a new Conference Committee of three to meet with a like Committee from the House to confer on the following bills. The following Conference Committees were appointed:

The fourth Conference Committee appointed to consider House Substitute to Senate Bill No. 109 were: Senator Rieder, Chairman; Senator Melcher, Senator Rostad.

The third Conference Committee appointed to consider Senate Amendments to House Bill No. 105 were: Senator McKeon, Chairman; Senator Thiessen, Senator Breen.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as

amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 421 introduced by Hibbard, Regan, Etchart.

Respectfully,

VEDA RICHARDSON

Assistant Secretary of the Senate

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 434 be passed for this sitting.

That Senate Amendments to House Bill No. 421 be concurred in.

DYKSTRA, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 421 were concurred in by the following vote:

Ayes: Aasheim, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schepens, Selstad, Seymour, Sheldon, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Swanz, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Adams, Asbjornson, Bashor, Haughey, Lewis, Murray, Schye. Total 7.

Excused: None.

The Speaker signed the following in open session, the titles having first been read: Senate Bills Nos. 135 and 165, Senate Joint Resolution No. 13, Senate Bills Nos. 107, 169, 92, 101, 55, 5, 80, 97, 81, Senate Substitute for Substitute Senate Bill No. 87 and Senate Bill No. 30.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 16, House Bills Nos. 81 and 94, Senate Substitute for House Bill No. 355, House Joint Resolution No. 21, House Joint Memorial No. 15, and House Bills Nos. 425 and 262.

SELSTAD

I have examined Senate Substitute for House Bill No. 355 introduced by me and find the same to be correct.

HAWKS

I have examined House Joint Memorial No. 15 introduced by me and find the same to be correct.

BOUGHTON

I have examined House Bill No. 94 introduced by me and find the same to be correct.

BARDANOUVE

I have examined House Bill No. 425 introduced by me and find the same to be correct.

HAWKS

I have examined House Joint Resolution No. 16 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Joint Resolution No. 21 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 81 introduced by me and find the same to be correct.

TRACY

I have examined House Bill No. 262 introduced by me and find the same to be correct.

LUCAS

The Speaker signed the following in open session, the titles having first been read: House Joint Memorial No. 15, House Bills Nos. 94 and 425, House Joint Resolution No. 16, House Joint Resolution No. 21, House Bills Nos. 81 and 262, and Senate Substitute for House Bill No. 355.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 59 introduced by Hibbard, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 419 introduced by Mathers, Eskildsen, Laas.

House Bill No. 426 introduced by Hawks, et al.

House Bill No. 427 introduced by Hawks, et al.

House Bill No. 430 introduced by Goan, Aasheim, Thompson.

House Bill No. 432 introduced by Committee on Appropriations.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on the following bills. The following Conference Committees were appointed:

The second Conference Committee appointed to consider Senate Amendments to House Bill No. 227 were: Senator Goodwin, Chairman; Senator Cumming, Senator McDonnell.

Senate Substitute for House Bill No. 414: Senator Thiessen, Chairman; Senator Cook, Senator Lehrkind.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 27

Introduced by Haughey, Bardanouve, Pierce, Goan, Rehberg, Rosell, Beam, Crum, McNamer, Woodard.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE STATE DEPARTMENT OF LANDS AND INVESTMENTS TO MAKE AN INVENTORY OF STATE LANDS AND REQUESTING THE GOVERNOR TO APPOINT A STATE LAND USE POLICY COMMITTEE TO MAKE A COMPREHENSIVE ANALYSIS OF STATE POLICY WITH RESPECT TO THE OWNERSHIP AND MANAGEMENT OF STATE LANDS AND TO CONSIDER THE DESIRABILITY OF EXCHANGING AND CONSOLIDATING LANDS, SELLING LANDS, AND AMENDING INVESTMENT LAWS AND REGULATIONS, AND THE ADEQUACY OF STATUTES AND REGULATIONS CONCERNING SALE OF LANDS AND LEASING OF MINERALS.

WHEREAS, the State of Montana is the owner of over five million acres of lands located in all the counties of the state, varying widely in character, value, and potential use; and

WHEREAS, the management of such state lands is made extremely difficult and excessively expensive by the diversity in character of the lands, the wide dispersion of individual tracts, and the relatively low value of much of the land; and

WHEREAS, controversy over revenues of state lands has created recurrent division of the citizens of the state and an emotional atmosphere not conducive to intelligent management of state lands; and

WHEREAS, the use, management, and ownership of state lands involve questions of policy which should be investigated and carefully deliberated by a competent agency to the end that the state may increase its current and long-term revenues from such lands.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

1. That the state department of lands and investments be requested to make an inventory of state lands, so that information concerning the character, location, potential uses, productivity, and quality of the lands will be available to the citizens of the state.

2. That the House of Representatives request the Honorable Tim Babcock, Governor of the State of Montana, to appoint a State Land Use Policy Committee, comprised of the state land commissioner, the state superintendent of public instruction, the state agriculture commissioner, the state forester, the chairman of the oil and gas conservation commission and laymen representing the public, to make a comprehensive, critical, and definitive analysis of state policy with respect to the ownership and management of state lands and to investigate among other subjects relating thereto the following:

a. the feasibility and desirability of exchanging state timber lands and grazing lands for lands owned by the federal government or other owners, for the purpose of consolidating state lands and reducing management problems,

b. the feasibility and desirability of selling agricultural lands, grazing lands, and timber lands, reserving the minerals therein, in order to get such lands on the tax rolls and to make possible a more profitable investment of the proceeds thereof,

c. the adequacy of the statutes and regulations concerning the sale of state lands,

d. the adequacy and effectiveness of the statutes and regulations governing the leasing of minerals in lands owned by the state, with emphasis upon the feasibility of amendments which might increase the revenues from such leasing for the benefit of the interest and income fund,

e. the propriety of amending the laws and regulations concerning the investment of state funds, with the purpose of increasing the revenues from such investments; or to cooperate with the Montana Legislative Council in such a study of the investment of state funds if such study is undertaken by the council;

And to prepare and submit to the Thirty-ninth Legislative Assembly proposals for remedial legislation in any areas deemed appropriate by the committee.

Motion was made by Haughey for adoption of the Resolution. Motion carried.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Conference Committee on House Substitute for Senate Bill No. 109 respectfully report as follows: That House Substitute for Senate Bill No. 109 be amended as follows:

1. Delete Section 6 in its entirety on pages 7 through 11 of the original bill, being pages 8 through 12 of the printed bill, and insert in lieu thereof a new section to read as follows:

Section 6. Section 81-433, R.C.M. 1947, is amended to read as follows:

"81-433. "When used in this section:

'Animal unit' means one cow, one horse, five sheep or five goats.

'Animal-unit-month carrying capacity' means that amount of natural feed necessary for the complete subsistence of one animal unit for a period of one (1) month."

The state board of land commissioners shall establish the per annum rental rate per section of all grazing lands which are the property of the State of Montana upon the animal-unit-month basis as hereinafter provided.

In fixing the minimum annual rental per section, the following formula shall be used:

[The proportional relationship between the average price per pound of beef cattle on the farm in Montana during the period between the year 1938 and the year 1947, inclusive of both said years, and the average grazing fee per animal unit per month for said period shall be applied to the average price per pound of beef cattle on the farm in Montana for three years next preceding the fixing of the rental.

[The resulting figure shall be multiplied by, first, the carrying capacity of the land, and second, by twelve (12) so as to bring the rental from a monthly to an annual figure.

[The average price per pound of beef cattle on the farm in Montana during the said period between 1938 and 1947, inclusive, to be used in the above formula, is hereby declared to be ten and one-half cents (\$.105).

[The average grazing fee per animal unit per month (herein abbreviated to A.U.M.) for the said period between 1938 to 1947, inclusive, to be used in the above formula, is hereby declared to be twenty-four cents (24¢).]

"The base rental shall be computed by multiplying thirty-two cents (32¢) plus two (2) times the average price per pound of beef cattle on the farm in Montana for the previous year times the animal-unit-month carrying capacity of the land.

"(a) The minimum annual rental for grazing lands with an annual carrying capacity of more than fourteen (14) and less than twenty (20) animal units per section is the base rental.

"(b) The minimum annual rental for grazing lands with an annual carrying capacity of more than nineteen (19) animal units per section is ten cents (10¢) more than the base rental.

"(c) The minimum annual rental for grazing lands with an annual carrying capacity of less than fifteen (15) animal units per section is ten cents (10¢) less than the base rental."

The carrying capacity of the land, to be used in the above formula, shall be in accordance with the determinations of the commissioner of state lands and investments made pursuant to Section 81-404, R.C.M. 1947, [originally enacted as Section 4 of chapter 207 of the Laws of 1945.]

The average price per pound of beef cattle on the farm in Montana [for the three years next preceding the fixing of the rental, to be used in the above formula] shall be taken from statistics published by the bureau of agricultural economics of the United States department of agriculture current at the time of computation of the rental, or from other reliable sources current at such time.

[By way of an example of the computation of minimum rental on grazing land by use of the factors prescribed herein, and taking,

[(a) a section of land, with

[(b) a carrying capacity of sixteen (16) animal units, and

[(c) Taking the average price per pound of beef cattle on the farm in Montana as seventeen and thirty-hundredths cents (\$.1730) for the three years next preceding the fixing of the rental, in compliance with the formula prescribed herein, such factors shall be used and applied as follows:

[Price per pound for cattle from 1938 to 1947 inclusive	[A. U. M. Rental	[Average price per pound for cattle for 1956-1957- 1958	[Rental per A. U. for one month
<hr/>	<hr/>	<hr/>	<hr/>

[.105 cents is to .240 cents as .1730 cents is to X or .3954 cents. The resulting factor of .3954 cents (rental per animal unit for one month) in the foregoing example is hereby rounded to forty cents (40¢) per animal unit for one month to facilitate performance of the computation executed as follows:

[.40 cents for one animal unit for one month
[times

[12 months

[_____

[80

[40

[_____

[\$4.80 rental for one animal unit for one year

[times

[16 animal unit carrying capacity for the section of land

[_____

[\$28.80

[4.80

[_____

[results in \$76.80 as the minimum rental for the next following year for the section of grazing land.”]

2. Delete Section 9 in its entirety on page 11 of the original bill, being page 12 of the printed bill, and insert in lieu thereof a new section to read as follows:

“Section 9. This act shall be effective for the 1964 rental year and thereafter.”

For the Senate:

RIEDER, Chairman

ROSTAD

MELCHER

For the House:

WRIGHT

WOODARD

BASHOR

Motion was made by Wright for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Bailey, Baldwin, Beam, Blewett, Bradford, Brenner, Broeder, Casey, Davis, Deschamps, Dykstra, Egan, Etchart, Falkenstein, Flynn, Gill, Good, Haines, Hanks, Haughey, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O’Hair, Osburnsen, Pierce, Rearden, Regan, Rehberg, Reinecke, Rosell, Selstad, Seymour, Shelden, Slaby, Smiley, Smith, Spahr, Spilde,

Stranahan, Tooke, Tracy, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer. Total 68.

Noes: Beck, Boughton, East, Garrison, Mr. Speaker. Total 5.

Absent or not voting: Asbjornson, Bashor, Crum, Cummings, Eskildsen, Laas, Lewis, Lund, Murray, Schye, Swanz, Turnage. Total 12.

Excused: Adams, Bardanouve, Goan, Harper, Hawks, Nichols, Raundal, Schepens, Thompson. Total 9.

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider Senate Amendment to House Bill No. 227 beg leave to report as follows:

The Joint Conference Committee appointed to consider Senate amendment to House Bill No. 227 recommend that the Senate recede from its amendment to House Bill No. 227 and that House Bill No. 227 be amended to read as follows: Amend Section 1, Sub-section (a), line 18, page 1 of the original bill, being Section 1, Sub-section (a), line 5, page 1 of the printed bill, by striking the words and figures "November 11, 1918" and inserting in lieu thereof the words and figures "May 11, 1919";

And as so amended be adopted.

For the Senate:

GOODWIN

CUMMING

McDONNELL

For the House:

SEYMOUR

ZIMMER

REINECKE

Motion was made by Seymour for adoption of the Conference Committee report.

Substitute motion was made by Keller that the Conference Committee report be not adopted and that the present Conference Committee be dissolved and a new Conference Committee be appointed by the Speaker to confer with a like committee to be appointed by the Senate on Senate Amendments to House Bill No. 227.

Wayrynen requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Wayrynen moved that the Call of the House be dispensed with. Motion carried.

Substitute motion by Keller failed to carry. Original motion by Seymour carried, and the Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Beck, Blewett, Bradford, Brenner, Broeder, Casey, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Flynn, Gill, Good, Haines, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jensen, Johnson, Judge, Laas, Lombardi, Lund, Nash, Nelson, Nichols, Northey, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Reinecke, Schye, Seymour, Shelden, Slaby, Spahr, Stranahan, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Wright, Zimmer, Mr. Speaker. Total 60.

Noes: Adams, Baldwin, Beam, Boughton, Crum, Etchart, Falken-

stern, Garrison, Goan, Haughey, Hawks, Keller, Kvaalen, Leuthold, Lucas, Mathers, McNamer, Nutting, Rosell, Selstad, Smiley, Smith, Spilde, Thompson, Tooke, Woodard. Total 26.

Paired: Lewis, aye; Rehberg, no.

Absent or not voting: Asbjornson, Jenkins, Lundgren Murray, Swanz. Total 5.

Excused: Schepens. Total 1.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on the following:

Senate Amendments to House Bill No. 227.

House Substitute for Senate Bill No. 109.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 28

Introduced by Crum, Goan, Boughton, Rosell, Smiley, Selstad, Rehberg, Woodard, East, Tooke, Wright, Smith, Hawks, Leuthold, Reinecke, Nash, Falkenstern.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF MONTANA TO INVESTIGATE THE EXTENT OF THE PHILOSOPHY AMONG FACULTY MEMBERS THAT THE FREE ENTERPRISE SYSTEM IS A FALLACY AND AMERICAN INDIVIDUALISM IS AN HISTORICAL MYTH.

WHEREAS, a member of the faculty of Montana State University has recently described American individualism as a well-founded historical myth and has also described the free enterprise system as a myth and a fallacy; and

WHEREAS, the same speaker has slandered Montana leaders in business, agriculture, and government by labeling them as super-patriots who do to Americans what Communists do to Russians; and

WHEREAS, the United States of America was founded by courageous individuals, including merchants and farmers and professional men who furnished the leadership and inspiration necessary to uproot and oust the tyrannical and despotic absolute government of King George III of England; and

WHEREAS, the founders of the American Republic were intensively individualistic, believing so strongly in the right of the individual to manage his own affairs free from unnecessary and unjustified government intervention that they risked their lives and fortunes in a rebellion that stirred the fires of liberty all over the world; and

WHEREAS, the University system of the State of Montana is a tax-supported institution of the state, which relies upon a successful and

profitable system of free enterprise in business and industry and agriculture to produce the tax revenues necessary for its continued existence; and

WHEREAS, such statements as those referred to above are so exaggerated and ill-founded as to indicate a question of competency to instruct the sons and daughters of Montana citizens, and far exceed the bounds of educational freedom and fair criticism which are a part of the free enterprise system and never have been a part of any system of absolute government;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Board of Regents of the University of Montana is hereby advised of the concern of the House of Representatives for the fair presentation of social and economical philosophies to students of the University system; and

BE IT FURTHER RESOLVED that the Board of Regents is hereby requested to make such investigation into the statements of the faculty member mentioned, and the relationship of such statements with the teaching practices of such member, as the Board deems appropriate in the light of this expression of concern by the House of Representatives; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives send copies of this resolution to each member of the Board of Regents of the University System of the State of Montana.

Motion was made by Crum for adoption of the Resolution. Crum requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose.

Substitute motion was made by Dykstra that further consideration of the previous motion by Crum be passed for the present time. Substitute motion carried.

Motion was made by Blewett that the Conference Committee heretofore appointed to confer with a like committee from the Senate on House Amendments to Senate Bill No. 22 be dissolved. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 436 be passed for this sitting.

That Senate Amendments to House Bill No. 419 be concurred in.

That Senate Amendments to House Bill No. 426 be concurred in.

That Senate Amendments to House Bill No. 427 be concurred in.

That consideration of Senate Amendments to House Bill No. 430 be passed for this sitting.

That Senate Amendments to House Bill No. 432 be concurred in.

DYKSTRA, Chairman

Report adopted.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 18, House Bills Nos. 418, 367, 135, 423, 422, 424, 302 and 59.

SELSTAD

I have examined House Bill No. 367 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Joint Resolution No. 18 introduced by me and find the same to be correct.

BEAM

I have examined House Bill No. 135 introduced by me and find the same to be correct.

PIERCE

I have examined House Bill No. 302 introduced by me and find the same to be correct.

LUCAS

I have examined House Bills Nos. 418 and 423 introduced by Committee on Appropriations and find the same to be correct.

HAWKS

I have examined House Bills Nos. 424 and 422 introduced by Committee on Appropriations and find the same to be correct.

HAWKS

I have examined House Bill No. 59 introduced by me and find the same to be correct.

HIBBARD

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 56, 174, 255, 358, 359, 360, House Joint Resolution No. 2 and House Joint Memorial No. 12, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

MESSAGES FROM THE GOVERNOR

March 7, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 92—Introduced by Deschamps, et al.

House Bill No. 133—Introduced by Keller, et al.

House Bill No. 183—Introduced by Spahr, Keller.

House Bill No. 189—Introduced by Smith, et al.

House Bill No. 193—Introduced by Watt, Wright.

House Bill No. 200—Introduced by Lucas, Keller.

House Bill No. 217—Introduced by Bradford, Dykstra.

House Bill No. 219—Introduced by Hibbard, et al.

House Bill No. 237—Introduced by Rehberg, Lucas.

House Bill No. 238—Introduced by Rehberg, Lucas.

House Bill No. 243—Introduced by Bardanouve and Turnage.

House Bill No. 309—Introduced by Committee on Judiciary.

House Bill No. 310—Introduced by Committee on Judiciary.

House Bill No. 338—Introduced by Bashor, Regan.

House Bill No. 366—Introduced by Cummings, et al.

House Bill No. 392—Introduced by Murray, Schye.

House Bill No. 396—Introduced by Nichols, et al.

Substitute House Bill No. 7—Introduced by Committee on State Administration.

Substitute House Bill No. 42—Introduced by Committee on Judiciary.

Substitute House Bill No. 172—Introduced by Committee on Education.

Substitute House Bill No. 397—Introduced by Committee on Townships and Counties.

Senate Substitute for House Bill No. 303—Introduced by Committee on Highways and Transportation.

House Joint Resolution No. 22—Introduced by Rosell, Nash, et al.

Sincerely yours,

TIM BABCOCK
Governor

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bills were disposed of in the following manner:

Senate Amendments to House Bill No. 419 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstein, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lomabrdi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Asbjornson, Goan, Lewis, Murray, Smiley, Swanz. Total 6.

Excused: Schepens. Total 1.

Senate Amendments to House Bill No. 426 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Mr. Speaker. Total 84.

Noes: Harper, Rosell, Zimmer. Total 3.

Absent or not voting: Asbjornson, Goan, Lewis, Murray, Smiley, Swanz. Total 6.

Excused: Schepens. Total 1.

Senate Amendments to House Bill No. 427 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Asbjornson, Goan, Lewis, Murray, Nichols, Smiley, Swanz. Total 7.

Excused: Schepens. Total 1.

Senate Amendments to House Bill No. 432 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Bashor, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Shelden, Slaby, Smith, Spahr, Spilde, Stranahan, Thompson, Tooke, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Asbjornson, Lewis, Murray, Smiley, Swanz. Total 5.

Excused: Schepens. Total 1.

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 59, 422, 423, 424, 418, 302, 135, House Joint Resolution No. 18 and House Bill No. 367.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that House Resolution No. 28 be referred to the Committee on Judiciary. After debate, Crum moved the previous question. Motion carried. Original motion by Watt failed to carry.

Motion was made by Crum that House Resolution No. 28 be amended in the title by deleting on page 1, line 6 of the original resolution the word "DIRECTING" and inserting in lieu thereof the word "REQUESTING". Motion carried.

The previous day's motion by Crum for adoption of House Resolution No. 28 was pending before the House. Substitute motion was made by Haughey that further consideration of House Resolution No. 28 be passed for the time being. Substitute motion carried.

Motion was made by Blewett that the House join with the Senate and have a final status of all legislative bills printed and sent to each member of both houses. Motion carried.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bill No. 189, Substitute Senate Bill No. 45 and Senate Bill No. 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 434 be passed for this sitting.

That Senate Amendments to House Bill No. 430 be concurred in.

DYKSTRA, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 430 were concurred in by the following vote:

Ayes: Aasheim, Adams, Bailey, Baldwin, Bardanouve, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Crum, Cummings, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Gill, Goan, Good, Haines, Hanks, Harper, Healy, Hemstad, Hibbard, Holtz, Jenkins, Jensen, Johnson, Judge, Keller, Kvaalen, Leuthold, Lombardi, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Shelden, Slaby, Smiley, Smith, Spahr, Spilde, Stranahan, Thompson, Tracy, Turnage, Twedt, Watt, Wayrynen, Weeks, Welch, Woodard, Wright, Zimmer, Mr. Speaker. Total 79.

Noes: None.

Absent or not voting: Asbjornson, Bashor, Broeder, Casey, Haughey, Hawks, Laas, Lewis, Murray, Pierce, Selstad, Seymour, Swanz, Tooke. Total 14.

Excused: Schepens. Total 1.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 13 and House Bill No. 421.

SELSTAD

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 432 and 427.

SELSTAD

I have examined House Bill No. 432 introduced by Committee on Appropriations and find the same to be correct.

HAWKS

I have examined House Bill No. 427 introduced by me and find the same to be correct.

HAWKS

I have examined House Joint Resolution No. 13 introduced by me and find the same to be correct.

GOAN

I have examined House Bill No. 421 introduced by me and find the same to be correct.

HIBBARD

The Speaker signed the following in open session, the titles having first been read: House Bill No. 432, House Joint Resolution No. 13, House Bills Nos. 427 and 421.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration Substitute House Bill No. 158 introduced by Committee on Education.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

The Senate this day, on motion, removed Senator Jensen from the Joint Conference Committee to consider Senate Amendments to House Bill No. 66 and in his place named Senator Mahoney.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 322 introduced by Hawks, Judge.

House Bill No. 433 introduced by Hawks.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments.

House Bill No. 431 introduced by Mathers, Laas, Eskildsen.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House accede to the request of the Senate and return Substitute House Bill No. 158 to the Senate. Motion carried.

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 421, 427, 432 and House Joint Resolution No. 13, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 262, 302, 367, 418, 422, 423, 424, 425 and Senate Substitute for House Bill No. 355, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

March 7, 1963

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 59, 81, 94, 135, House Joint Memorial No. 15, House Joint Resolution No. 16, House Joint Resolution No. 18 and House Joint Resolution No. 21, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 434 be passed for this sitting.

That Senate Amendments to House Bill No. 431 be not concurred in, but that a conference committee of three be appointed by the Speaker and request a like committee from the Senate.

DYKSTRA, Chairman

Report adopted.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider the Senate Substitute for House Bill No. 414, beg leave to report as follows:

The Conference Committee is unable to agree, therefore we respectfully request discharge and that another conference committee be appointed.

For the Senate:

THIESSEN

COOK

LEHRKIND

For the House:

HAINES

LAAS

NICHOLS

Motion was made by Nichols for adoption of the Conference Committee report. Motion carried.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 429 introduced by Mathers and Adams.

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the Speaker appoint a new Conference Committee to confer with a like committee from the Senate on Senate Substitute for House Bill No. 414. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Substitute for House Bill No. 414: Asbjornson, Mathers, Regan.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 431: Adams, Etchart, Raundal.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 426, 430, 227 and 419.

SELSTAD

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 322 and 433.

SELSTAD

I have examined House Bill No. 227 introduced by me and find the same to be correct.

KELLER

I have examined House Bills Nos. 322 and 433 introduced by me and find the same to be correct.

HAWKS

I have examined House Bill No. 426 introduced by me and find the same to be correct.

HAWKS

I have examined House Bill No. 419 introduced by me and find the same to be correct.

MATHERS

I have examined House Bill No. 430 introduced by me and find the same to be correct.

GOAN

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 426, 322, 419, 430, 433 and 227.

CONFERENCE COMMITTEE REPORTS

March 7, 1963

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 beg leave to report as follows:

That the Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 agrees to disagree and requests that the committee be dissolved, and further recommend that no other conference committees be appointed to consider this matter.

For the Senate:

McKEON
THIESSEN
BREEN

For the House:

MATHERS
BEAM
AASHEIM

Motion was made by Mathers for adoption of the Conference Committee report. Motion carried.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Finance and Claims, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 416 introduced by Committee on Appropriations.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on the following bills. The following Conference Committees were appointed:

Senate Substitute for House Bill No. 414: Senator Carney, Chairman; Senator Beley, Senator Mackay.

Senate Amendments to House Bill No. 431: Senator Durkee, Chairman; Senator Nixon, Senator Lehrkind.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

The Senate this day adopted the Joint Conference Committee report on Senate amendments to House Bill No. 105.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Hawks that House Bill No. 434 be taken from General Orders and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Eskildsen that the House reconsider its action in adopting the Conference Committee report on Senate Amendments to House Bill No. 105.

Haines requested a Call of the House, sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Haines moved that further Call of the House be dispensed with. Motion carried.

Not having voted on the prevailing side, Eskildsen withdrew his motion to reconsider.

Mathers, having voted on the prevailing side, moved that the House

reconsider its action in adopting the Conference Committee report on Senate Amendments to House Bill No. 105 and that a new Conference Committee be appointed. Mathers requested a roll call vote with the results thereof to be recorded in the Journal. Sufficient seconds arose, a roll call vote was taken and the motion carried by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Goan, Good, Haines, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Lucas, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Spahr, Thompson, Tooke, Tracy, Turnage, Wayrynen, Woodard, Wright, Zimmer, Mr. Speaker. Total 62.

Noes: Aasheim, Bardanouve, Bradford, Brenner, Flynn, Hanks, Lund, Twedt, Watt. Total 9.

Absent or not voting: Bashor, Broeder, Cummings, Gill, Harper, Hibbard, Johnson, Laas, Leuthold, Lewis, Lundgren, Murray, O'Hair, Shelden, Spilde, Stranahan, Swanz. Total 17.

Excused: Bailey, Lombardi, Schepens, Slaby, Weeks, Welch. Total 6.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 105: Mathers, Goan, Regan.

CONFERENCE COMMITTEE REPORTS

March 7, 1963

To: The President of the Senate

The Speaker of the House

The Joint Conference Committee appointed to consider Senate Substitute to House Bill No. 414 beg leave to report as follows:

The Joint Conference Committee recommends that Senate Substitute to House Bill No. 414 be amended as follows:

By striking in Section 3, sub-section (2), page 3, line 7 of the original bill, being Section 3, sub-section (2), page 3, line 13 of the printed bill, the following figure: "\$ 29,224.", and inserting in lieu thereof the following figure: "\$ 24,224."

And further amend in Section 3, sub-section (2), page 3, line 15 of the original bill, being Section 3, sub-section (2), page 3, line 20 of the printed bill by striking the following figures: "\$ 14,612. \$ 14,612." and inserting in lieu thereof the following figures: "\$ 12,112. \$ 12,112."

And further amend in Section 3, sub-section (1), page 6, line 15 of the original bill, being Section 3, sub-section (1), page 6, lines 98 and 99 of the printed bill by inserting after the word "instruction," the following words and punctuation: "teacher certification," and by striking the following figures: "\$140,190. \$131,475.", and inserting in lieu thereof the following figures "\$169,805. \$156,415."

And further amend in Section 3, page 6, lines 16 through 18 of the original bill, being Section 3, page 6, lines 100 and 101 of the printed bill by striking sub-section (2) in its entirety and by renumbering the following sub-sections consecutively.

And further amend in Section 3, page 7, lines 4 through 6 of the original bill, being Section 3, page 7, lines 114 and 115 of the printed

bill, by striking sub-section (7) in its entirety, and by renumbering the following sub-sections consecutively.

And, as so amended, be concurred in.

For the Senate:

CARNEY
BELEY
MACKAY

For the House:

MATHERS
ASBJORNSON
REGAN

Motion was made by Asbjornson for the adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Broeder, Davis, Deschamps, Dykstra, Egan, Eskildsen, Falkenstern, Flynn, Good, Hanks, Harper, Haughey, Healy, Holtz, Jenkins, Jensen, Judge, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Schye, Seymour, Spahr, Tracy, Turnage, Twedt, Watt, Wayrynen, Woodard, Wright, Zimmer, Mr. Speaker. Total 57.

Noes: Boughton, Casey, Crum, East, Etchart, Garrison, Goan, Haines, Hawks, Hemstad, Keller, Nash, Rosell, Selstad, Smiley, Smith, Thompson, Tooke. Total 18.

Absent or not voting: Bashor, Cummings, Gill, Hibbard, Johnson, Leuthold, Lewis, Murray, Shelden, Spilde, Stranahan, Swanz. Total 12.

Excused: Bailey, Laas, Lombardi, Schepens, Slaby, Weeks, Welch. Total 7.

March 7, 1963

Mr. Speaker: We your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 429.

SELSTAD

I have examined House Bill No. 429 introduced by me and find the same to be correct.

MATHERS

The Speaker signed House Bill No. 429 in open session, the title having first been read.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 428, introduced by Adams, Bardanouve, Jenkins.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

Substitute House Bill No. 158, introduced by Committee on Education.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration House Bill No. 428, introduced by Adams, Bardanouve, Jenkins.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that the House accede to the request of the Senate and return to the Senate House Bill No. 428. Motion carried.

Motion was made by Crum that House Resolution No. 28 be amended in the title in lines 7 and 8 of the original resolution by deleting the words "the extent of the philosophy among faculty members" and inserting in lieu thereof the words "certain statements of a faculty member". Motion carried.

Motion was made by Crum for the adoption of House Resolution No. 28 as amended, and requested that a roll call vote be taken with the results thereof to be recorded in the Journal.

After debate, Boughton moved the previous question. Motion carried. Boughton requested a Call of the House, sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Boughton moved that further Call of the House be dispensed with. Motion carried.

Roll call vote was taken, and House Resolution No. 28 was adopted by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Broeder, Casey, Crum, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haughey, Hawks, Hemstad, Holtz, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Nutting, Pierce, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Thompson, Tooke, Turnage, Wright, Mr. Speaker. Total 45.

Noes: Aasheim, Bardanouve, Bradford, Brenner, Davis, Deschamps, Egan, Eskildsen, Flynn, Good, Haines, Hanks, Harper, Healy, Jenkins, Jensen, Judge, Northey, O'Hair, Osburnsen, Rearden, Regan, Spahr, Tracy, Twedt, Watt, Wayrynen, Zimmer. Total 28.

Absent or not voting: Bashor, Cummings, Gill, Hibbard, Johnson, Leuthold, Lewis, Murray, Raundal, Shelden, Spilde, Stranahan, Swanz. Total 13.

Excused: Bailey, Laas, Lombardi, Schepens, Slaby, Weeks, Welch, Woodard. Total 8.

CONFERENCE COMMITTEE REPORTS

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider Senate amendments to House Bill No. 167, respectfully recommend that:

The Senate recede from its amendments to the title of House Bill No. 167 and that the title be amended to read as follows:

"A bill for an act entitled: An act to amend Sections 87-103, 87-106, and 87-109, R.C.M., 1947, which sections are a part of the unemployment Compensation Law; by providing that a claimant with high quarter wages of \$1282.50 must have wages of \$100 in a quarter other than his high quarter; increasing from one to two weeks the minimum disqualification for benefits; providing that average annual employer tax rates shall increase to 2.0 per centum or to 2.7 per centum if trust fund balance remains below \$18,000,000 continuously for one year or for two years, respectively; and providing an effective date."

That the House accede to Senate amendments to Sections 1 and 2.

That the Senate recede from Senate Amendments to Section 3 and that Section 3 be amended by deleting from lines 6 through 17, page 6 of the original bill, being lines 6 through 17, pages 6 and 7 of the printed bill the following: [for a period of not less than one (1) or more than five (5) weeks (in addition to and immediately following the waiting period), as determined by the commission according to the circumstances in each case] at any time within the most recent twelve-month period prior to the date of filing of a claim for benefits, unless immediately after having left such work he is employed by the same or another employer for a period in excess of three consecutive work weeks. Such disqualification to be applied as follows: All wages earned by such individual prior to such leaving work shall not be considered or included in determining his wage credits or weekly benefit amount under Section 87-103 or 87-105." and by inserting in lieu thereof the following: "for a period of not less than "two (2)" or more than five (5) weeks (in addition to and immediately following the waiting period), as determined by the commission according to the circumstances in each case.";

and by deleting the words and figures "one (1)" in line 24, page 6 of the original bill, being line 24, page 7 of the printed bill, and inserting in lieu thereof the words and figures "two (2)";

and by deleting the words and figures "one (1)" in line 12, page 7 of the original bill, being lines 42 and 43, page 8 of the printed bill, and inserting in lieu thereof the words and figures "two (2)";

That Section 4 be amended by deleting the words and figures "twenty million dollars (\$20,000,000.00)" in line 30, page 14 of the original bill, being line 105, page 15 of the printed bill, and by inserting in lieu thereof the words and figures "eighteen million dollars (\$18,000,000.00)";

and by deleting in lines 16 and 17, page 15 of the original bill, being lines 121 and 122, page 16 of the printed bill the words and figures "twenty million dollars (\$20,000,000.00)" and by inserting in lieu thereof the words and figures "eighteen million dollars (\$18,000,000.00)";

That the Senate recede from Senate amendments to Section 4;

That the House accede to Senate amendments to Section 5; and

That Section 8, being lines 25 through 32, page 18 of the original bill, lines 1 through 8, page 20 of the printed bill be deleted in its entirety, and that the following be inserted in lieu thereof: "Section 8. This act shall

be in full force and effect upon passage and approval except that Section 1 shall apply to all benefit years beginning on and after April 7, 1963."

For the Senate:

REARDON, Chairman

SIDERIUS

THOMAS

For the House:

HAUGHEY, Chairman

CASEY

Motion was made by Haughey for the adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Beam, Beck, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Crum, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Flynn, Garrison, Goan, Good, Haines, Hanks, Harper, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, O'Hair, Osburnsen, Pierce, Raundal, Rearden, Regan, Rehberg, Reinecke, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Tooke, Tracy, Turnage, Twedt, Wayrynen, Wright, Zimmer, Mr. Speaker. Total 70.

Noes: Bardanouve, Thompson, Watt. Total 3.

Absent or not voting: Bashor, Cummings, Gill, Hibbard, Johnson, Leuthold, Lewis, Murray, Shelden, Spahr, Spilde, Stranahan, Swanz. Total 13.

Excused: Bailey, Laas, Lombardi, Schepens, Slaby, Weeks, Welch, Woodard. Total 8.

To: The President of the Senate

The Speaker of the House

We, your Conference Committee on Senate Amendments to House Bill No. 431, respectfully report as follows:

That we agree to disagree and request that a new Conference Committee be reappointed.

For the Senate:

DURKEE

LEHRKIND

NIXON

For the House:

ADAMS

ETCHART

RAUNDAL

Motion was made by Adams for the adoption of the Conference Committee report. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee of three members to meet with a like committee from the Senate on Senate Amendments to House Bill No. 431: Adams, Mathers, Bardanouve.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 428, introduced by Adams, Bardanouve and Jenkins.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on Senate Amendments to House Bill No. 105.

The fourth Conference Committee appointed was:

Senator McKeon, Chairman

Senator Cotton

Senator Ullom.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 227, 322, 419, 426, 429, 430 and 433, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:30 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

CONSIDERATION OF GENERAL ORDERS

Motion was made by Blewett that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 428 be not concurred in, but that a Conference Committee of three be appointed by the Speaker and a like committee requested from the Senate.

DYKSTRA, Chairman

Report adopted.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee of three to confer with a like committee from the Senate on Senate Amendments to House Bill No. 428: Adams, Beck and Flynn.

CONFERENCE COMMITTEE REPORTS

March 7, 1963

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 20, respectfully report as follows:

That the Senate accede to paragraph 1 of the House Amendments to Section 1.

That the Senate accede to paragraph 2 of the House Amendments to Section 1.

That the Senate accede to paragraph 3 of the House Amendments to Section 4.

That the Senate accede to paragraph 4 of the House Amendments to Section 5.

That the Senate accede to paragraph 5 of the House Amendments to Section 6.

That the House recede from paragraph 6 and 7 of the House Amendments to Section 6, provided however, that Section 6 be amended in line 16, page 15 of the printed bill, being line 7, page 16 of the original bill, by deleting the words "[This act]" and inserting in lieu thereof the words and figures "Section 75-3706 and Section 75-4516.1."

That the Senate accede to paragraph 8 of the House Amendments to Section 6.

That the Senate accede to paragraph 9 of the House Amendments to Section 7.

That the House recede from paragraph 10 of the House Amendments to Section 8, provided, however, that Section 8 be amended in line 6, page 17 of the printed bill, being line 1, page 18 of the original bill after the word "levy" by adding "as provided for in Section 75-3706" and further amend Section 8, line 7, page 17 of the printed bill, being line 2, page 18 of the original bill by deleting the following words and figures "[county] fifteen (15) [mill]" and further amend Section 8, line 8, page 17 of the printed bill, being line 3, page 18 of the original bill after the word "schools," by inserting the words and figures: "as provided for in Section 75-4516.1."

That the Senate accede to paragraphs 11, 12, 13, 14, 15, 16, 17 and 18 of the House Amendments to Section 9, provided, however, that Section 9 be amended in line 9, page 20 of the original bill, being line 11, page 19 of the printed bill, following the word "procedure:", by inserting the following: "Provided that seventy per cent (70%) of State Equalization Aid shall be set aside for the common schools and thirty per cent (30%) of State Equalization aid shall be set aside for high schools, and provided further that such allocation shall not prevent a transfer of funds if revenues for the common schools shall be in excess of the foundation program requirement for common schools."

That the House recede from paragraph 19 of the House Amendments to Section 10, provided, however, that Section 10 be amended after the

word and punctuation "fund;," by deleting lines 13 through 23, page 22 of the original bill, being lines 17 through 26, page 21 of the printed bill; and by inserting in lieu thereof the following: "it shall be the duty of the board of county commissioners to levy, if necessary, an additional tax in such number of mills on the taxable value of all taxable property within each school district as shall be required to provide the foundation program for such school district."

That the House recede from paragraph 20 of the House Amendments to Section 11, provided that Section 11 be amended as follows: by deleting all of lines 6 through 19, page 23 of the original bill, being lines 5 through 15, pages 21 and 22 of the printed bill, and inserting in lieu thereof the following:

"(1) To receive and hold all school moneys and to keep a separate account of their disbursements to the several school districts which shall be entitled to receive them according to the apportionment of the county superintendent. A separate account shall be maintained for each fund supported by a county-wide levy for a specific, authorized purpose, including (1) the "basic" county [ten] mill levy for elementary schools "as provided in Section 75-3706," (2) the "basic" [county ten mill] "special tax" [levy] for high school "as provided in Section 75-4516.1," (3) the county levy for high school transportation as provided in section 75-3414, (4) the county levy for the high school retirement systems as provided in sections 68-603 and 75-2709, "and such other county levy as may be required."

That the House recede from paragraph 21 of the House Amendments to Section 13, provided, however, that Section 13 be amended in line 54, page 27 of the printed bill, being lines 16 and 17, page 29 of the original bill, by deleting the words and figures "county [ten (10)] 'fifteen (15)' mill levy", and inserting in lieu thereof the words "special tax"; and further amend Section 13, line 55, page 27 of the printed bill, being line 17, page 29 of the original bill after the word "schools" by inserting the words "as provided for in Section 75-4516.1."

That the Senate accede to paragraphs 22 and 23 of the House Amendments to Section 13, provided that Section 13 be further amended by deleting in lines 73 and 74, page 28 of the printed bill, being line 9, page 30 of the original bill, the words and figures "two hundred fifty dollars (\$250.00)" and inserting in lieu thereof the words and figures "four hundred dollars (\$400.00)".

That the House recede from House Amendments in Section 14 and that Section 14 be amended by striking out all of lines 28 through 30, page 30 of the original bill, and all of pages 31 and 32 of the original bill, and lines 1 through 7, page 33 of the original bill, being all of lines 3 through 60, pages 28, 29 and 30 of the printed bill, and inserting in lieu thereof the following:

"[75-4516.1. Levy of taxes. It shall be the duty of the county commissioners of each county in the state to levy an annual special tax for high schools of ten (10) mills on the dollar of the taxable value of all taxable property within the county which levy shall be made at the time and in the manner provided by law for the levying of taxes for county purposes and which tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected; provided that if a levy of less than ten (10) mills should be sufficient to meet the total of the approved budgets of all school districts within the county, then such lesser levy shall be made, but no high school within a county levying less than ten (10) mills for high school purposes shall receive any apportionment from the state public school equalization fund.]"

"75-4516.1. Levy of taxes. (1) Basic high school levy. On or before the first day of August in each year, the state superintendent of public instruction shall compute and determine the sum of money which, when

added to the moneys available for the state equalization aid shall provide seventy-five per cent (75%) of the maximum high school budgets for all high schools as set forth in sections 75-4518.1 and 75-3612, plus the amount of high school tuition. Such information shall be given to the state board of equalization who shall compute and determine the number of mills of a tax (herein called the basic high school tax) on the taxable value of all property within all the counties of the state which is calculated to produce the aforesaid sum of money."

"If a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets of all school districts within one or more counties, the state board of equalization shall recompute the basic high school tax to be levied in the remaining counties, excluding in the computations the amount of the foundation programs in the county or counties requiring a lesser levy, thus determining as the adjusted basic high school tax the number of mills required to produce the sum of money which, when added to all the moneys available for state equalization aid to be distributed to all high schools except those which as hereinafter provided are not entitled to apportionment of state equalization aid, shall equal the total of the foundation programs of all high schools except those not entitled to apportionment of state equalization aid. In no event shall the adjusted basic high school tax exceed fifteen (15) mills."

"In addition to the provisions for the support of the high schools hereinbefore provided, it shall be the duty of the board of county commissioners of each county in the state to levy on the taxable valuation of all taxable property in the county the number of mills determined by the board of equalization as the adjusted basic high school tax, except that the board in any county in which a levy of less than the number of mills so determined is sufficient to provide the total foundation programs from the general fund budgets for all high schools within the county shall levy such lesser number of mills."

"The levy in each county shall be made at the time and in the manner provided by law for the levying of taxes for county purposes, and the tax shall be collected by the county treasurer at the same time and in the same manner as state and county taxes are collected."

"No county levying less than the adjusted basic high school levy shall receive any apportionment of state equalization aid."

"(2) Additional high school levy. The county commissioners shall, if necessary, levy an additional tax in such number of mills on the taxable value of all taxable property within the county as shall be required to provide the foundation program for all school districts and county high schools within the county. The county superintendent shall apportion the proceeds of such additional tax levy to each school district and county high school within the county after apportionment of the basic special tax for high schools as provided in Section 75-3618 and the state public school equalization funds as provided in Section 75-3619."

"(3) Permissive high school levy. If the revenues for the operation and maintenance of any high school, including the amount apportionable from said "basic special tax for high schools and the amount, if any, produced by said additional high school tax," [ten (10) mill special tax for high schools] shall be less than the foundation program of such high school and the approved additions thereto included in its budget, within the limitations hereinbefore specified, it shall be the further duty of the board of county commissioners to fix and levy a tax, in such number of mills as will produce the amount shown by the final budget to be raised by tax levy plus federal reimbursements in lieu of taxes, which tax shall, in the case of a county high school not located within a building district, be levied upon all property in the county, excepting the property of any district supporting a district high school, and shall, in the case of a county high school located within a high school building district, be levied

upon all property in such building district and which tax shall, in the case of a district high school not located within a building district, be levied upon all property within the school district, and shall, in the case of a district high school located within a building district, be levied upon all property in such building district, provided, however, that such last mentioned additional tax shall not, in any event, [exceed ten (10) mills unless the excess above said ten mill limitation shall first have been authorized at an election held in accordance with the general school laws pertaining to the voting of additional levies, save and except that in any district wherein more than ten (10) mills is required to reach the permissive percentage limits, as set out in Section 75-4518.1, above the foundation program, such increase above the ten (10) mill limit may be financed by federal reimbursements in lieu of taxes without a vote of the taxpayers up to the above mentioned percentage limits above the foundation program.] "be used to raise funds in excess of the maximum budgets as specified in Section 75-4518.1 when considered with all other sources of revenue, unless approved by a vote of the taxpaying electors."

That the Senate accede to paragraphs 25, 26 and 27 of the House Amendments to Section 15.

And as so amended be adopted.

For the Senate:

COTTON

MacDONALD

GERARD

For the House:

KVAALEN

HAUGHEY

RAUNDAL

Motion was made by Kvaalen for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Baldwin, Bardanouve, Blewett, Boughton, Bradford, Brenner, Broeder, Casey, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Falkenstern, Garrison, Gill, Goan, Good, Haines, Hanks, Haughey, Hawks, Healy, Hemstad, Holtz, Jenkins, Jensen, Judge, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Raundal, Rearden, Regan, Rehberg, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Tooke, Tracy, Twedt, Watt, Wayrynen, Wright, Zimmer, Mr. Speaker. Total 62.

Noes: None.

Absent or not voting: Adams, Bashor, Beam, Beck, Crum, Cummings, Flynn, Hibbard, Johnson, Lewis, Murray, Pierce, Reinecke, Shelden, Spilde, Stranahan, Swanz, Thompson. Total 18.

Excused: Bailey, Harper, Laas, Leuthold, Lombardi, O'Hair, Osburnsen, Schepens, Slaby, Spahr, Turnage, Weeks, Welch, Woodard. Total 14.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on

Senate Amendments to House Bill No. 431. The following Conference Committee was appointed:

Senator Carney, Chairman

Senator Thiessen

Senator Moritz

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on House Amendments to Senate Bill No. 20.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Wayrynen that the House instruct the conferees on Senate Amendments to House Bill No. 66 to accept a compromise of one mill addition to the Senate Amendments of two mills, making a total of three mills.

Wayrynen requested a Call of the House and a roll call vote with the results thereof to be recorded in the Journal. Sufficient seconds arose and the Speaker ordered a Call of the House. Progress having been shown, Wayrynen moved that further Call of the House be dispensed with. Motion carried.

Substitute motion was made by Dykstra that the Speaker be instructed to appoint a new committee of three to confer with a like committee from the Senate for consideration of Senate Amendments to House Bill No. 66.

After debate, Jensen moved the previous question. Motion carried. Healy requested a roll call vote with the results thereof to be recorded in the Journal. Sufficient seconds arose, roll call vote was taken, and the substitute motion carried by the following vote:

Ayes: Adams, Asbjornson, Baldwin, Beam, Beck, Boughton, Broeder, Casey, Deschamps, Dykstra, East, Etchart, Falkenstern, Garrison, Goan, Haines, Haughey, Hawks, Hemstad, Holtz, Jenkins, Jensen, Keller, Kvaalen, Lucas, Lund, Lundgren, Mathers, McNamer, Nash, Nelson, Nichols, Northey, Nutting, Pierce, Rearden, Rehberg, Rosell, Schye, Selstad, Seymour, Smiley, Smith, Tooke, Wright, Mr. Speaker. Total 46.

Noes: Aasheim, Bardanouve, Bradford, Davis, Egan, Eskildsen, Flynn, Gill, Good, Hanks, Healy, Raundal, Regan, Tracy, Twedt, Watt, Wayrynen, Zimmer. Total 18.

Absent or not voting: Bashor, Blewett, Brenner, Crum, Cummings, Hibbard, Johnson, Judge, Lewis, Murray, Reinecke, Shelden, Spilde, Stranahan, Swanz, Thompson. Total 16.

Excused: Bailey, Harper, Laas, Leuthold, Lombardi, O'Hair, Osburnsen, Schepens, Slaby, Spahr, Turnage, Weeks, Welch, Woodard. Total 14.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 158 and Senate Substitute for House Bill No. 414.

SELSTAD

I have examined Senate Substitute for House Bill No. 414 introduced by the Committee on Finance and Claims and find the same to be correct.

HAWKS

I have examined Substitute House Bill No. 158 introduced by the Committee on Education and find the same to be correct.

KVAALLEN

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee of three to confer with a like committee from the Senate on Senate Amendments to House Bill No. 66: Dykstra, Jensen and Healy.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on Senate Amendments to House Bill No. 428. The following Conference Committee was appointed:

Senator Nixon, Chairman

Senator McGowan

Senator Moberly

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

CONFERENCE COMMITTEE REPORTS

March 7, 1963

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 428, beg leave to report as follows:

The Joint Conference Committee recommends that Senate Amendments to House Bill No. 428 be amended as follows:

By striking Senate Committee on Finance and Claims amendment, paragraph 4, dated March 7, 1963 and Senate Committee of the Whole amendment, paragraph 1, dated March 7, 1963, in their entirety, being Section 3, page 3, between lines 24 and 25 of the printed bill, and inserting in lieu thereof the following: "Contained within the above appropriation from the general fund shall be funds for the construction of an armory at Glasgow, Deer Lodge and Malta."

And further recommend that the House accede to all other Senate amendments;

And, as so amended, be concurred in.

For the Senate:

NIXON

McGOWAN

MOBERLY

For the House:

ADAMS

BECK

FLYNN

Motion was made by Adams for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Bardanouve, Beam, Beck, Blewett, Bradford, Brenner, Casey, Davis, Deschamps, Dykstra, East, Egan, Eskildsen, Etchart, Flynn, Garrison, Gill, Goan, Good, Hawks, Healy, Holtz, Jensen, Judge, Lund, Lundgren, Mathers, Nelson, Nichols, Pierce, Raundal, Rearden, Regan, Seymour, Tooke, Twedt, Watt, Wayrynen, Wright, Zimmer, Mr. Speaker. Total 44.

Noes: Baldwin, Boughton, Broeder, Falkenstern, Haines, Haughey, Hemstad, Jenkins, Keller, Kvaalen, McNamer, Nash, Northey, Nutting, Rehberg, Rosell, Schye, Selstad, Smiley, Smith. Total 20.

Absent or not voting: Bashor, Crum, Cummings, Hibbard, Johnson, Lewis, Lucas, Murray, Reinecke, Shelden, Spilde, Stranahan, Swanz, Thompson, Tracy. Total 15.

Excused: Bailey, Hanks, Harper, Laas, Leuthold, Lombardi, O'Hair, Osburnsen, Schepens, Slaby, Spahr, Turnage, Weeks, Welch, Woodard. Total 15.

March 7, 1963

To: The President of the Senate

The Speaker of the House

Your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 begs leave to report as follows:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 105 agrees to disagree and asks to be dissolved.

For the Senate:

McKEON

COTTON

ULLOM

For the House:

MATHERS

GOAN

REGAN

Motion was made by Mathers for adoption of the Conference Committee report. Motion carried.

MESSAGES FROM THE SENATE

March 7, 1963

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a Conference Committee of three to meet with a like Committee from the House to confer on Senate Amendments to House Bill No. 66.

The third Conference Committee appointed was:

Senator Dussault, Chairman

Senator Nees

Senator Cole

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 428.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker:

We, your Committee on Bills, to whom was referred Substitute House Bill No. 158 and Senate Substitute for House Bill No. 414, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:45 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

MOTIONS AND RESOLUTIONS

Motion was made by Blewett that Representative Healy of Silver Bow County be discharged from membership on the Conference Committee appointed to confer with the Senate on Senate Amendments to House Bill No. 66 and that a new member be appointed to the committee. Motion carried.

The Speaker appointed Representative Flynn of Missoula County to serve on the Conference Committee on Senate Amendments to House Bill No. 66.

CONFERENCE COMMITTEE REPORTS

March 7, 1963

To: The President of the Senate

The Speaker of the House

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 431 beg leave to report as follows:

The Joint Conference Committee recommends that Senate Amendments to House Bill No. 431 be amended as follows:

By striking Senate Committee on Finance and Claims amendment, paragraph one, dated March 7, 1963, in its entirety, and reverting to the printed bill;

And further amend in Section 3, page 3, line 9 of the printed bill, being Senate Committee on Finance and Claims amendment, paragraph 2, dated March 7, 1963, by striking the following figures: "\$ 57,265. \$ 58,-050.", and inserting in lieu thereof the following figures: "\$ 51,765. \$ 52,-550.";

And further amend in Section 3, page 3, between lines 8 and 9 of the original bill, being Section 3, page 3, between lines 9 and 10 of the printed bill, by inserting the following: "Board of examiners shall make adjustments in expenditures of this office in accordance with legislation effective as of July 1, 1963.";

And further amend in Section 3, page 7, between lines 4 and 5 of the original bill, being Senate Committee on Finance and Claims amendment, paragraph 4, dated March 7, 1963, by striking in the last line of this sub-section, after the figure; "1965", the following figure; "\$ 50,000.", and inserting in lieu thereof the figure: "\$ 20,000.";

And further recommend that the House accede to all other Senate amendments;

And, as so amended, be concurred in.

For the Senate:

CARNEY
THIESSEN
MORITZ

For the House:

ADAMS
MATHERS
BARDANOUVE

Motion was made by Adams for the adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Adams, Baldwin, Bardanouve, Beam, Blewett, Bradford, Brenner, Casey, Cummings, Davis, Deschamps, Dykstra, Egan, Eskildsen, Etchart, Flynn, Gill, Goan, Good, Hawks, Healy, Holtz, Jenkins, Jensen, Judge, Leuthold, Lucas, Lund, Mathers, Nelson, Nichols, Northey, Pierce, Rearden, Regan, Schye, Seymour, Spilde, Tooke, Tracy, Twedt, Watt, Wayrynen, Wright, Zimmer, Mr. Speaker. Total 46.

Noes: Asbjornson, Boughton, Broeder, East, Falkestern, Garrison, Haines, Haughey, Hemstad, Keller, Kvaalen, Lundgren, McNamer, Nash, Nutting, Rosell, Selstad, Smiley, Smith, Thompson. Total 20.

Absent or not voting: Aasheim, Bashor, Beck, Crum, Hibbard, Johnson, Lewis, Murray, Raundal, Rehberg, Reinecke, Shelden, Stranahan, Swanz. Total 14.

Excused: Bailey, Hanks, Harper, Laas, Lombardi, O'Hair, Osburnsen, Schepens, Slaby, Spahr, Turnage, Weeks, Welch, Woodard. Total 14.

March 7, 1963

To: The President of the Senate

The Speaker of the House

We, your Conference Committee appointed to consider House Bill No. 66, beg leave to report as follows:

That the Senate recede from its amendments; and

That said amendments be stricken in their entirety; and

That House Bill 66 be amended as follows: by striking in the title, line 7, page 1 of the original bill, being line 6, page 1 of the printed bill, the following words and figures "fourteen (14)", and by inserting in lieu thereof the words and figures "eleven and one-half (11.5)"; and

That House Bill 66 be further amended by striking in Section 1, lines 19 and 20, page 1 of the original bill, being Section 1, line 7, page 1 of the printed bill, the following word and figures: "fourteen (14)", and by inserting in lieu thereof the following words and figures "eleven and one-half (11.5)".

For the Senate:

DUSSAULT

NEES

COLE

For the House:

DYKSTRA

JENSEN

FLYNN

Motion was made by Dykstra for the adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Baldwin, Bardanouve, Blewett, Boughton, Brenner, Deschamps, Dykstra, Egan, Falkenstern, Flynn, Haines, Hemstad, Holtz, Jenkins, Jensen, Judge, Leuthold, Lucas, Lund, Mathers, Nelson, Nichols, Northey, Nutting, Pierce, Selstad, Seymour, Smith, Spilde, Tooke, Twedt, Watt, Wright, Mr. Speaker. Total 34.

Noes: Adams, Asbjornson, Beam, Bradford, Broeder, Casey, Cummings, Davis, East, Eskildsen, Etchart, Garrison, Gill, Goan, Good, Haughey, Hawks, Healy, Keller, Kvaalen, Lundgren, McNamer, Nash, Rearden, Regan, Rosell, Schye, Smiley, Thompson, Tracy, Wayrynen, Zimmer. Total 32.

Absent or not voting: Aasheim, Bashor, Beck, Crum, Hibbard, Johnson, Lewis, Murray, Raundal, Rehberg, Reinecke, Shelden, Stranahan, Swanz. Total 14.

Excused: Bailey, Hanks, Harper, Laas, Lombardi, O'Hair, Osburnsen, Schepens, Slaby, Spahr, Turnage, Weeks, Welch, Woodard. Total 14.

The Speaker signed Senate Bill No. 20 in open session, the title having first been read.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following named House employees, heretofore employed, are to be employed for the post session for the number of days stated below and to take effect after adjournment.

The sergeant-at-arms is instructed to include their names on the supplemental payroll submitted to the state auditor, for the number of days stated below:

Sharon Hansen, journal clerk	7 days
Alma Dupuis, potsal clerk	3 days
A. A. Klemma, mail clerk	3 days
Donna Muffick, stenographer	5 days
Janet Jensen, assistant journal clerk	3 days

Juanita Fontana, stenographer	3 days
Jack Ehlers, assistant chief clerk	3 days
Rosella Dallas, clerk to chief clerk	7 days
William Walrath, chief clerk	7 days
Bernice Mitchell, bill clerk	7 days
Judy Tobin, assistant bill clerk	3 days
D. L. Jones, 1st assistant sergeant	10 days
Robert Luke, supply clerk	10 days
Corrine Mooney, bill clerk	5 days
Agnes Screnar, mimeograph clerk	3 days
John Goggin, mimeograph	3 days
Thomas Smith, payroll clerk	7 days
Paul Smith, janitor	3 days
Zita Gravely, proof reader	5 days
Frances B. Allen, proof reader	5 days

That the Honorable Frank W. Hazelbaker, Speaker of the House, be allowed mileage incident to his service for signing of the House Journal for the Thirty-eighth Legislative Assembly, from Dillon to Helena, Montana, and returning: \$18.20.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

March 7, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 314—Introduced by Judge and Goan.

House Bill No. 317—Introduced by Wright and Eskildsen.

House Bill No. 406—Introduced by Special Committee on Classification and Appraisal.

Substitute House Bill No. 413—Introduced by Committee on Judiciary

Substitute House Bill No. 305—Introduced by Committee on Highways.

House Bill No. 304—Introduced by Wright, Asbjornson, Lund and Aasheim.

House Bill No. 296—Introduced by Bardanouve, Weeks, Rosell and Shelden.

House Bill No. 275—Introduced by Judge, Zimmer, Lundgren and Tooke.

- House Bill No. 273—Introduced by Swanz, Weeks, Schye, Nash,
Judge, Adams, Baldwin.
- House Bill No. 271—Introduced by Crum, Keller, Spahr and Haines.
- House Bill No. 272—Introduced by Dykstra and Turnage.
- House Bill No. 119—Introduced by Leuthold, Jensen, Garrison and
Stranahan.
- House Bill No. 117—Introduced by Goan and Bardanouve.
- House Bill No. 69—Introduced by Murray and Lucas.
- House Bill No. 234—Introduced by Beck.
- House Bill No. 250—Introduced by Watt, Wayrynen, Rosell and
Pierce.
- House Bill No. 313—Introduced by Judge and Goan.

Sincerely yours,

TIM BABCOCK
Governor

March 7, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

- House Bill No. 59—Introduced by Hibbard, et al.
- House Bill No. 94—Introduced by Bardanouve and Aasheim.
- House Bill No. 81—Introduced by Tracy, Healy, Lombardi, et al.
- House Bill No. 135—Introduced by Pierce and Asbjornson.
- House Bill No. 262—Introduced by Lucas and Haines.
- House Bill No. 302—Introduced by Lucas, Haines and McNamer.
- Senate Substitute for House Bill No. 355—Introduced by Committee
on State Administration.
- House Bill No. 367—Introduced by Haughey, McNamer, Watt and
Hazelbaker.
- House Bill No. 418—Introduced by Committee on Appropriations.
- House Bill No. 421—Introduced by Hibbard, Regan and Etchart.
- House Bill No. 422—Introduced by Committee on Appropriations.
- House Bill No. 423—Introduced by Committee on Appropriations.
- House Bill No. 424—Introduced by Committee on Appropriations.
- House Bill No. 425—Introduced by Committee on Appropriations.
- House Bill No. 427—Introduced by Hawks, Dykstra, Nichols, Goan
and Blewett.
- House Bill No. 432—Introduced by Committee on Appropriations.

House Joint Resolution No. 13—Introduced by Goan.

House Joint Resolution No. 16—Introduced by Special Committee on
Classification and Appraisal.

House Joint Resolution No. 18—Introduced by Beam and Haughey.

House Joint Resolution No. 21—Introduced by Special Committee on
Classification and Appraisal.

House Joint Memorial No. 15—Introduced by Boughton, Garrison,
Smith, Lucas, et al.

Sincerely yours,

TIM BABCOCK
Governor

March 7, 1963

Honorable Frank Hazlebaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the
following measures:

House Bill No. 433—Introduced by Hawks.

House Bill No. 430—Introduced by Goan, et al.

House Bill No. 429—Introduced by Mathers and Adams.

House Bill No. 426—Introduced by Hawks, et al.

House Bill No. 419—Introduced by Mathers, et al.

Sincerely yours,

TIM BABCOCK
Governor

March 7, 1963

Honorable Frank Hazelbaker, Speaker
House of Representatives
House Chambers
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the
following measures:

House Bill No. 56—Introduced by Crum and Bashor.

House Bill No. 174—Introduced by Mathers, et al.

House Bill No. 255—Introduced by Kvaalen, et al.

House Bill No. 335—Introduced by Bardanouve, et al.

House Bill No. 358—Introduced by Goan, et al.

House Bill No. 359—Introduced by Goan, et al.

House Bill No. 360—Introduced by Goan, et al.

House Joint Resolution No. 12—Introduced by Seymour and Rosell.

House Joint Memorial No. 2—Introduced by Jensen, Turnage, Brenner, Schepens, et al.

Sincerely yours,

TIM BABCOCK
Governor

March 7, 1963

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee reports on Senate Amendments to House Bill No. 431 and Senate Amendments to House Bill No. 66. On motion, the Joint Conference Committee report on Senate Amendments to House Bill No. 105 was adopted.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

March 7, 1963

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 167, 66, 428 and 431.

SELSTAD

I have examined House Bill No. 428 introduced by me and find the same to be correct.

ADAMS

I have examined House Bill No. 167 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 66 introduced by me and find the same to be correct.

McNAMER

I have examined House Bill No. 431 introduced by me and find the same to be correct.

MATHERS

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 431, 167, 66 and 428.

Motion was made by Blewett that a committee of five members be appointed by the Speaker to notify His Excellency, the Governor, that the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon, the Speaker appointed the following committee to notify the Governor: Hawks, Dykstra, Jensen, Regan and Healy.

Motion was made by Blewett that a committee of five members be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon, the Speaker appointed the following committee to notify the Senate: Broeder, Haughey, Mathers, Eskildsen and Zimmer.

March 7, 1963

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 167, 66, 428 and 431, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, P.M., delivered to the Governor for his approval.

SELSTAD

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

BROEDER, Vice-Chairman

A committee was received from the Senate which notified the House that the Senate, having completed its business, was ready to adjourn sine die.

The House Committee appointed to notify the Senate that the House was ready to adjourn returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The House Committee appointed to notify the Governor that the House was ready to adjourn returned to report that the message had been delivered and that the Governor expressed his appreciation to the House members for the cooperation extended to him during the session, and wished them Godspeed. The Speaker thanked the committee and it was discharged.

Motion was made by Blewett that the House of Representatives of the Thirty-eighth Legislative Assembly of the State of Montana now stand adjourned sine die. Motion carried.

House adjourned sine die.

FRANK W. HAZELBAKER, Speaker

WILLIAM WALRATH, Chief Clerk

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